

Section 5

Judicial processing of defendants

This section provides data on the judicial processing of adult and juvenile defendants in the United States. These data cover a wide range of judicial activity reported for Federal, State, and military courts.

Beginning the section is information on requests for immunity by Federal prosecutors; court orders for interception of wire, oral, or electronic communications and subsequent arrests and convictions; and the number of grand jury proceedings and criminal cases handled by U.S. attorneys.

The next portion of this section focuses on activities of the Federal courts. Detailed data on criminal cases filed, terminated, and pending in U.S. District Courts including a trend table that looks at this activity over 40 years are presented. Information on Federal defendants detained or released before trial is presented next, according to the circuit and district where the activity occurred, the offense charged, and defendant characteristics and behavior before trial. The Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program provides a wealth of data on the U.S. District Courts including the disposition of cases, number of defendants convicted, sentences imposed, sentences to incarceration, and the average length of sentences imposed. Data on the application of U.S. Sentencing Commission guidelines in Federal district courts also are presented. These tables enumerate the number of offenders sentenced, offense type, demographic characteristics of defendants, type and length of sentences imposed, fines and restitution ordered, and sentences at variance with the guidelines. This section also includes a detailed breakdown on defendants charged and sentenced for violation of drug laws in U.S. District Courts, as well as convictions resulting from arrests by the Drug Enforcement Administration. Finally, counts of antitrust cases filed, length of civil and criminal trials, and amount of time from filing to final disposition of cases in U.S. District Courts concludes this series of tables.

A rich amount of data on judicial activity in State courts derived from the BJS National Judicial Reporting Program is provided in the next segment of Section 5. These data include counts of felony convictions and sentences in State courts by offense type, demographic characteristics of defendants, method of conviction, and the type and length of sentences imposed. In addition, information is presented on defendants sentenced to additional penalties, as well as the average length of time from arrest to sentencing for felony cases. This portion

also includes detailed data on the judicial processing of felony defendants in the 75 largest counties in the United States from BJS's State Court Processing Statistics Program. Several tables also present information on the processing of juvenile defendants including the characteristics of juvenile offenders and outcomes of juvenile court cases.

The next component of this section details petitions filed in U.S. District Courts by State and Federal prisoners and counts of appeals filed in U.S. Courts of Appeals, including a table displaying a 15-year trend for all types of appeals. A series of tables shows activities of the U.S. Supreme Court including cases filed and types of dispositions. Also presented is a trend table with over 40 years of data on requests for executive clemency. Data on judicial misconduct complaints and dispositions handled by State judicial conduct organizations are displayed as well. This segment ends with tables on criminal tax fraud, criminal matters handled by the U.S. Postal Inspection Service, the Immigration and Naturalization Service, and the U.S. Secret Service, and statistics on the abuse of public office.

Finally, the judicial processing section ends with data on activity in the U.S. military courts. Specifically, this series details data on military courts-martial in the U.S. Army and U.S. Coast Guard. New information is presented this year on the offenses involved for Coast Guard defendants prosecuted in general courts-martial.

Table 5.1

Requests for immunity by Federal prosecutors to the U.S. Attorney General and witnesses involved in these requests

By origin of request, fiscal years 1973-98

| Fiscal year | Requests | | | Witnesses | | |
|-------------|--------------|-------------------|---------|--------------|-------------------|---------|
| | Total number | Criminal Division | | Total number | Criminal Division | |
| | | Number | Percent | | Number | Percent |
| 1973 | 1,160 | 769 | 66% | 2,715 | 1,598 | 59% |
| 1974 | 1,410 | 1,121 | 80 | 3,655 | 2,055 | 56 |
| 1975 | 1,632 | 1,259 | 77 | 3,733 | 2,183 | 58 |
| 1976 | 1,789 | 1,361 | 76 | 3,923 | 2,366 | 60 |
| 1977 | 1,798 | 1,250 | 70 | 4,413 | 1,969 | 45 |
| 1978 | 1,445 | 959 | 66 | 2,997 | 1,403 | 47 |
| 1979 | 1,596 | 1,163 | 73 | 3,204 | 1,816 | 57 |
| 1980 | 1,653 | 1,207 | 73 | 3,530 | 1,892 | 54 |
| 1981 | 1,686 | 1,252 | 74 | 3,271 | 2,032 | 62 |
| 1982 | 1,836 | 1,394 | 76 | 3,810 | 2,233 | 59 |
| 1983 | 1,986 | 1,425 | 72 | 4,226 | 2,243 | 53 |
| 1984 | 2,378 | 1,838 | 77 | 4,784 | 2,858 | 60 |
| 1985 | 2,451 | 1,898 | 77 | 5,146 | 3,329 | 65 |
| 1986 | 2,550 | 1,948 | 76 | 5,013 | 3,267 | 65 |
| 1987 | 2,359 | 1,869 | 79 | 4,603 | 3,249 | 71 |
| 1988 | 2,359 | 1,821 | 77 | 4,702 | 3,205 | 68 |
| 1989 | 2,301 | 1,807 | 79 | 4,495 | 3,249 | 72 |
| 1990 | 2,049 | 1,694 | 83 | 3,735 | 2,905 | 78 |
| 1991 | 1,953 | 1,561 | 80 | 3,377 | 2,449 | 73 |
| 1992 | 1,819 | 1,417 | 78 | 3,242 | 2,309 | 71 |
| 1993 | 1,959 | 1,466 | 75 | 3,521 | 2,393 | 68 |
| 1994 | 1,717 | 1,262 | 74 | 3,279 | 2,225 | 68 |
| 1995 | 1,520 | 1,182 | 78 | 2,776 | 1,987 | 72 |
| 1996 | 1,493 | 1,135 | 76 | 2,806 | 2,066 | 74 |
| 1997 | 1,502 | 1,108 | 74 | 2,737 | 1,953 | 71 |
| 1998 | 1,340 | 1,017 | 76 | 2,300 | 1,616 | 70 |

Note: These data reflect requests received from Federal prosecutors under 18 U.S.C. 6001-6005, the statute that now governs the granting of use immunity. 18 U.S.C. 6003 requires all Federal prosecuting attorneys to receive authorization from the U.S. Attorney General (or representative) before seeking a court order for witness immunity. It should be noted that in some cases in which the authorization is obtained, the prosecutor may decide not to seek the immunity order from the courts. Therefore, the number of witnesses actually granted immunity is probably lower than the data in the table indicate. It should also be noted that data for 1973 and 1974 include a total of 11 requests and 27 witnesses, and 7 requests and 11 witnesses, respectively, falling under an older statute, 18 U.S.C. 2514, which has since been repealed. "Criminal Division" includes the Criminal Division of the U.S. Department of Justice and the U.S. attorneys. Other requests, not pertaining to the Criminal Division, come from the remaining divisions of the U.S. Department of Justice (e.g., Antitrust, Tax, Civil Division, Civil Rights, and Environment and Natural Resources), as well as from the other Federal agencies (e.g., Interstate Commerce Commission, Federal Trade Commission, Securities and Exchange Commission, and Department of the Army) and from Congress, all of which may request immunity for witnesses. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Justice, Criminal Division.

Table 5.2

Court-authorized orders for interception of wire, oral, or electronic communications

United States, 1969-98

| | Intercept applications authorized | |
|------|-----------------------------------|-------|
| | Federal | State |
| 1969 | 33 | 268 |
| 1970 | 182 | 414 |
| 1971 | 285 | 531 |
| 1972 | 206 | 649 |
| 1973 | 130 | 734 |
| 1974 | 121 | 607 |
| 1975 | 108 | 593 |
| 1976 | 137 | 549 |
| 1977 | 77 | 549 |
| 1978 | 81 | 489 |
| 1979 | 87 | 466 |
| 1980 | 81 | 483 |
| 1981 | 106 | 483 |
| 1982 | 130 | 448 |
| 1983 | 208 | 440 |
| 1984 | 289 | 512 |
| 1985 | 243 | 541 |
| 1986 | 250 | 504 |
| 1987 | 236 | 437 |
| 1988 | 293 | 445 |
| 1989 | 310 | 453 |
| 1990 | 324 | 548 |
| 1991 | 356 | 500 |
| 1992 | 340 | 579 |
| 1993 | 450 | 526 |
| 1994 | 554 | 600 |
| 1995 | 532 | 526 |
| 1996 | 581 | 568 |
| 1997 | 569 | 617 |
| 1998 | 566 | 763 |

Note: The Director of the Administrative Office of the United States Courts is required, in accordance with provisions of 18 U.S.C. 2519(1), to transmit to Congress a report regarding applications for orders authorizing or approving the interception of wire, oral, or electronic communications. This report is required to contain information about the number of such orders and any extensions granted. Every State and Federal judge is required to file a written report on each application made. This report is required to contain information on the grants and denials, name of applicant, offense involved, type and location of device, and duration of authorized intercept. Prosecuting officials who have applied for intercept orders are required to file reports containing information on the cost of the intercepts; the number of days the device was in operation; the number of incriminating intercepts recorded; and the results of the intercepts in terms of the number of arrests, trials, convictions, and motions to suppress evidence obtained through the use of intercepts. Forty-five jurisdictions (the Federal Government, the District of Columbia, the Virgin Islands, and 42 States) had statutes authorizing the interception of wire, oral, or electronic communications during 1998; 26 of these jurisdictions had court-authorized orders for interception during 1998 (Source, **1998**, pp. 6, 7).

Source: Administrative Office of the United States Courts, **Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the Period January 1, 1977 to December 31, 1977** (Washington, DC: Administrative Office of the United States Courts, 1978), p. xvi; Administrative Office of the United States Courts, **Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1988 to December 31, 1988** (Washington, DC: USGPO, 1989), p. 19; and Administrative Office of the United States Courts, **1998 Wiretap Report** (Washington, DC: Administrative Office of the United States Courts, 1999), p. 33. Table adapted by SOURCEBOOK staff.

Table 5.3

Court-authorized orders for interception of wire, oral, or electronic communications

By most serious offense under investigation, United States, 1998

| Offense | Intercept applications authorized | | |
|------------------------------------|-----------------------------------|---------|-------|
| | Total | Federal | State |
| All offenses | 1,329 | 566 | 763 |
| Narcotics | 955 | 458 | 497 |
| Racketeering | 153 | 58 | 95 |
| Gambling | 93 | 3 | 90 |
| Homicide and assault | 53 | 7 | 46 |
| Kidnaping | 5 | 1 | 4 |
| Loansharking, usury, and extortion | 12 | 4 | 8 |
| Larceny and theft | 19 | 8 | 11 |
| Bribery | 9 | 5 | 4 |
| Other | 30 | 22 | 8 |

Note: See Note, table 5.2.

Source: Administrative Office of the United States Courts, **1998 Wiretap Report** (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 18-21. Table adapted by SOURCEBOOK staff.

Table 5.4

Arrests and convictions resulting from court-authorized orders for interception of wire, oral, or electronic communications

United States, 1981-98

| Year arrests and convictions reported | Year installed | | | | | | | | | | | | | | | | | |
|---------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | 1981 (N=562) | 1982 (N=518) | 1983 (N=602) | 1984 (N=773) | 1985 (N=722) | 1986 (N=676) | 1987 (N=634) | 1988 (N=678) | 1989 (N=720) | 1990 (N=812) | 1991 (N=802) | 1992 (N=846) | 1993 (N=938) | 1994 (N=1,100) | 1995 (N=1,024) | 1996 (N=1,035) | 1997 (N=1,094) | 1998 (N=1,245) |
| 1981 | | | | | | | | | | | | | | | | | | |
| Arrests | 1,735 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 248 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 1982 | | | | | | | | | | | | | | | | | | |
| Arrests | 558 | 1,725 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 745 | 453 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 1983 | | | | | | | | | | | | | | | | | | |
| Arrests | 330 | 705 | 1,716 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 473 | 776 | 521 | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 1984 | | | | | | | | | | | | | | | | | | |
| Arrests | 116 | 238 | 664 | 2,393 | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 143 | 389 | 833 | 649 | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 1985 | | | | | | | | | | | | | | | | | | |
| Arrests | 104 | 43 | 266 | 638 | 2,469 | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 93 | 98 | 320 | 958 | 660 | X | X | X | X | X | X | X | X | X | X | X | X | X |
| 1986 | | | | | | | | | | | | | | | | | | |
| Arrests | 37 | 64 | 174 | 334 | 1,026 | 2,410 | X | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 47 | 88 | 226 | 409 | 1,114 | 761 | X | X | X | X | X | X | X | X | X | X | X | X |
| 1987 | | | | | | | | | | | | | | | | | | |
| Arrests | 21 | 77 | 42 | 225 | 419 | 759 | 2,226 | X | X | X | X | X | X | X | X | X | X | X |
| Convictions | 54 | 45 | 80 | 265 | 552 | 830 | 506 | X | X | X | X | X | X | X | X | X | X | X |
| 1988 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 18 | 2 | 67 | 169 | 305 | 716 | 2,486 | X | X | X | X | X | X | X | X | X | X |
| Convictions | 5 | 31 | 7 | 55 | 195 | 523 | 936 | 543 | X | X | X | X | X | X | X | X | X | X |
| 1989 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 26 | 59 | 9 | 138 | 186 | 969 | 2,804 | X | X | X | X | X | X | X | X | X |
| Convictions | 1 | 5 | 11 | 72 | 39 | 163 | 341 | 1,192 | 706 | X | X | X | X | X | X | X | X | X |
| 1990 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 3 | 67 | 125 | 54 | 251 | 986 | 2,057 | X | X | X | X | X | X | X | X |
| Convictions | 0 | 1 | 4 | 17 | 53 | 85 | 141 | 400 | 823 | 420 | X | X | X | X | X | X | X | X |
| 1991 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 91 | 5 | 106 | 289 | 897 | 2,364 | X | X | X | X | X | X | X |
| Convictions | 0 | 0 | 5 | 3 | 2 | 82 | 23 | 203 | 490 | 550 | 605 | X | X | X | X | X | X | X |
| 1992 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 19 | 2 | 38 | 18 | 120 | 213 | 801 | 2,685 | X | X | X | X | X | X |
| Convictions | 0 | 0 | 0 | 1 | 1 | 3 | 9 | 66 | 186 | 357 | 827 | 607 | X | X | X | X | X | X |
| 1993 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 19 | 29 | 23 | 83 | 270 | 983 | 2,428 | X | X | X | X | X |
| Convictions | 0 | 0 | 0 | 0 | 0 | 2 | 16 | 57 | 111 | 142 | 210 | 895 | 413 | X | X | X | X | X |
| 1994 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 8 | 67 | 155 | 326 | 981 | 2,852 | X | X | X | X |
| Convictions | 0 | 0 | 0 | 0 | 1 | 0 | 11 | 8 | 52 | 111 | 169 | 450 | 912 | 772 | X | X | X | X |
| 1995 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 1 | 15 | 6 | 8 | 26 | 111 | 67 | 390 | 1,165 | 2,577 | X | X | X |
| Convictions | 0 | 0 | 0 | 0 | 0 | 1 | 12 | 6 | 7 | 81 | 148 | 164 | 538 | 965 | 494 | X | X | X |
| 1996 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 7 | 2 | 30 | 40 | 130 | 209 | 1,246 | 2,464 | X | X |
| Convictions | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 11 | 1 | 2 | 40 | 50 | 233 | 403 | 1,112 | 502 | X | X |
| 1997 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | 22 | 109 | 79 | 448 | 1,069 | 3,086 | X |
| Convictions | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 62 | 64 | 1 | 179 | 191 | 740 | 1,110 | 542 | X |
| 1998 | | | | | | | | | | | | | | | | | | |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9 | 9 | 4 | 35 | 70 | 86 | 410 | 393 | 1,303 | 3,450 |
| Convictions | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 9 | 8 | 45 | 81 | 163 | 490 | 418 | 1,195 | 911 |

Note: See Note, table 5.2. Arrests, trials, and convictions resulting from the interceptions of wire, oral, and electronic communication do not always occur within the same year as the implementation of the court order. This table presents arrest and conviction data for the year court-authorized interception began and subsequent years.

Source: Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the Period January 1, 1981 to December 31, 1981* (Washington, DC: Administrative Office of the United States Courts, 1982), p. 20; Administrative Office of the United States Courts, *Report on Applications for Orders Authorizing or Approving the Interception of Wire, Oral, or Electronic Communications for the Period January 1, 1992 to December 31, 1992* (Washington, DC: USGPO, 1993), p. 29; and Administrative Office of the United States Courts, *1998 Wiretap Report* (Washington, DC: Administrative Office of the United States Courts, 1999), p. 38. Table adapted by SOURCEBOOK staff.

Table 5.5

Grand jury proceedings and criminal cases filed by U.S. attorneys

United States, fiscal years 1988-98

| | Grand jury proceedings | Criminal cases filed |
|------|---------------------------|-------------------------|
| 1988 | 20,184 | 33,294 |
| 1989 | 23,203 | 34,865 |
| 1990 | 23,925 | 36,042 |
| 1991 | 25,943 | 38,374 |
| 1992 | 25,470 | 35,263 |
| 1993 | 23,757 | 36,995 |
| 1994 | 20,714 | 33,307 |
| 1995 | 22,856 | 36,878 |
| 1996 | 23,449 | 38,250 |
| 1997 | 25,209 | 39,291 |
| 1998 | 30,734 | 47,277 |

Note: The U.S. attorney is the highest ranking law enforcement official in each of the 94 Federal judicial districts. Each U.S. attorney, under the direction of the U.S. Attorney General, is responsible for establishing law enforcement priorities, and for carrying out the prosecution and litigation activities within their respective districts. Each U.S. attorney also is the chief litigator representing the U.S. in civil judicial proceedings in the district. U.S. attorneys direct and supervise the work of the assistant U.S. attorneys and staff of the district's offices.

Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys' Annual Statistical Report: Fiscal Year 1997*, pp. 10, 11; *Fiscal Year 1998*, pp. 12, 13 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.6

Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys

By offense type, United States, fiscal year 1998

| Offense type | Cases | | Defendants | | Dispositions | | | | |
|--|--------------------|-------------------------|--------------------|-------------------------|--------------|-------------------------|------------------------|----------------------|-------|
| | Filed ^a | Terminated ^b | Filed ^c | Terminated ^d | Guilty | Not guilty ^e | Dismissed ^f | Rule 20 ^g | Other |
| Total | 47,277 | 40,746 | 66,624 | 58,260 | 52,078 | 698 | 4,804 | 564 | 116 |
| Assimilated crimes ^h | 622 | 682 | 692 | 711 | 592 | 7 | 95 | 17 | 0 |
| Civil rights prosecution | 84 | 57 | 142 | 101 | 94 | 3 | 4 | 0 | 0 |
| Government regulatory offenses | 1,900 | 1,557 | 2,816 | 2,307 | 2,043 | 21 | 197 | 44 | 2 |
| Copyright violations | 40 | 42 | 46 | 73 | 65 | 0 | 8 | 0 | 0 |
| Counterfeiting | 836 | 665 | 1,221 | 999 | 916 | 8 | 60 | 14 | 1 |
| Customs violations: | | | | | | | | | |
| Duty | 83 | 75 | 105 | 107 | 87 | 0 | 15 | 5 | 0 |
| Currency | 177 | 138 | 225 | 179 | 159 | 3 | 15 | 2 | 0 |
| Energy pricing and related fraud | 2 | 1 | 2 | 1 | 1 | 0 | 0 | 0 | 0 |
| Environmental offenses | 322 | 241 | 494 | 376 | 311 | 9 | 48 | 8 | 0 |
| Health and safety violations | 30 | 28 | 41 | 34 | 33 | 0 | 1 | 0 | 0 |
| Money laundering: | | | | | | | | | |
| Narcotic | 83 | 73 | 197 | 125 | 110 | 0 | 7 | 8 | 0 |
| Other | 127 | 87 | 215 | 115 | 100 | 0 | 11 | 3 | 1 |
| Trafficking in contraband cigarettes | 22 | 15 | 30 | 21 | 18 | 0 | 3 | 0 | 0 |
| Other regulatory offenses | 178 | 192 | 240 | 277 | 243 | 1 | 29 | 4 | 0 |
| Immigration | 10,080 | 8,671 | 11,066 | 9,396 | 8,985 | 23 | 364 | 18 | 6 |
| Internal security offenses | 12 | 15 | 17 | 23 | 22 | 1 | 0 | 0 | 0 |
| Interstate theft | 234 | 219 | 379 | 360 | 311 | 4 | 37 | 8 | 0 |
| Labor management offenses | 140 | 118 | 158 | 133 | 119 | 3 | 8 | 2 | 1 |
| Corruption: | | | | | | | | | |
| Bribery | 5 | 7 | 7 | 10 | 7 | 0 | 3 | 0 | 0 |
| Pension benefit | 44 | 40 | 48 | 47 | 45 | 0 | 1 | 0 | 1 |
| Labor racketeering | 11 | 12 | 14 | 12 | 11 | 1 | 0 | 0 | 0 |
| Other labor offenses | 80 | 59 | 89 | 64 | 56 | 2 | 4 | 2 | 0 |
| Drug offenses | 15,046 | 12,282 | 26,906 | 22,731 | 20,302 | 254 | 2,007 | 130 | 38 |
| Organized Crime Drug Enforcement Task Force (OCDETF) | 2,251 | 1,585 | 6,265 | 5,250 | 4,615 | 59 | 517 | 41 | 18 |
| Non-OCDETF | 12,795 | 10,697 | 20,641 | 17,481 | 15,687 | 195 | 1,490 | 89 | 20 |
| Dealing | 12,402 | 10,341 | 20,037 | 16,941 | 15,201 | 192 | 1,441 | 87 | 20 |
| Possession | 393 | 356 | 604 | 540 | 486 | 3 | 49 | 2 | 0 |
| Official corruption | 526 | 462 | 813 | 716 | 611 | 24 | 74 | 5 | 2 |
| Federal procurement | 54 | 42 | 86 | 63 | 48 | 7 | 8 | 0 | 0 |
| Federal program | 84 | 62 | 131 | 97 | 79 | 4 | 13 | 1 | 0 |
| Federal law enforcement | 52 | 39 | 74 | 46 | 44 | 0 | 2 | 0 | 0 |
| Federal other | 134 | 127 | 188 | 152 | 130 | 4 | 15 | 3 | 0 |
| Local | 124 | 119 | 160 | 173 | 147 | 8 | 16 | 0 | 2 |
| State | 39 | 33 | 62 | 66 | 54 | 1 | 11 | 0 | 0 |
| Other official | 39 | 40 | 112 | 119 | 109 | 0 | 9 | 1 | 0 |
| Organized crime | 199 | 198 | 390 | 575 | 519 | 4 | 47 | 5 | 0 |
| Other Indian offenses | 131 | 130 | 162 | 183 | 162 | 0 | 21 | 0 | 0 |
| Theft | 1,591 | 1,556 | 1,969 | 1,937 | 1,702 | 20 | 190 | 22 | 3 |
| Check/postal | 1,090 | 1,028 | 1,344 | 1,237 | 1,109 | 7 | 105 | 13 | 3 |
| Motor vehicle theft | 77 | 76 | 131 | 171 | 157 | 1 | 12 | 1 | 0 |
| Theft of government property | 424 | 452 | 494 | 529 | 436 | 12 | 73 | 8 | 0 |
| Violent crime | 6,889 | 6,150 | 8,703 | 7,936 | 6,937 | 193 | 675 | 114 | 17 |
| Project Triggerlock ⁱ : | | | | | | | | | |
| Non-OCDETF drugs | 107 | 192 | 202 | 348 | 317 | 2 | 29 | 0 | 0 |
| OCDETF drugs | 139 | 138 | 240 | 284 | 254 | 1 | 29 | 0 | 0 |
| Other | 2,760 | 2,512 | 3,365 | 3,154 | 2,734 | 77 | 316 | 22 | 5 |
| Violent Indian offenses | 680 | 590 | 758 | 645 | 552 | 17 | 74 | 1 | 1 |
| Other violent crime ^j : | | | | | | | | | |
| Non-OCDETF drugs | 70 | 48 | 117 | 79 | 70 | 3 | 5 | 0 | 1 |
| OCDETF drugs | 57 | 37 | 98 | 94 | 77 | 6 | 8 | 0 | 3 |
| Organized crime | 73 | 40 | 132 | 72 | 66 | 2 | 2 | 2 | 0 |
| Financial institution fraud | 25 | 24 | 31 | 28 | 26 | 0 | 1 | 1 | 0 |
| Other | 2,978 | 2,569 | 3,760 | 3,232 | 2,841 | 85 | 211 | 88 | 7 |

See notes at end of table.

Table 5.6

Criminal cases filed and disposed of and number of defendants handled by U.S. attorneys

By offense type, United States, fiscal year 1998--Continued

| Offense type | Cases | | Defendants | | Dispositions | | | | |
|----------------------------------|--------------------|-------------------------|--------------------|-------------------------|--------------|-------------------------|------------------------|----------------------|-------|
| | Filed ^a | Terminated ^b | Filed ^c | Terminated ^d | Guilty | Not guilty ^e | Dismissed ^f | Rule 20 ^g | Other |
| White collar crime | 6,669 | 6,063 | 8,518 | 7,973 | 7,060 | 87 | 657 | 150 | 19 |
| Advance fee schemes ^k | 96 | 76 | 149 | 150 | 128 | 2 | 18 | 2 | 0 |
| Against business institutions | 547 | 472 | 737 | 667 | 606 | 8 | 42 | 8 | 3 |
| Antitrust violations | 35 | 10 | 41 | 12 | 10 | 0 | 2 | 0 | 0 |
| Bank fraud and embezzlement | 2,437 | 2,229 | 3,016 | 2,784 | 2,505 | 24 | 178 | 69 | 8 |
| Bankruptcy fraud | 186 | 165 | 223 | 214 | 192 | 2 | 19 | 1 | 0 |
| Commodities fraud | 28 | 17 | 37 | 24 | 23 | 0 | 1 | 0 | 0 |
| Computer fraud | 51 | 40 | 73 | 48 | 42 | 0 | 5 | 1 | 0 |
| Consumer fraud | 177 | 178 | 289 | 323 | 280 | 5 | 26 | 11 | 1 |
| Federal procurement fraud | 93 | 90 | 131 | 120 | 91 | 4 | 23 | 2 | 0 |
| Federal program fraud | 742 | 657 | 917 | 822 | 691 | 14 | 105 | 9 | 3 |
| Health care fraud | 318 | 239 | 435 | 357 | 325 | 2 | 27 | 3 | 0 |
| Insurance fraud | 160 | 150 | 250 | 261 | 211 | 1 | 47 | 2 | 0 |
| Other investment fraud | 78 | 71 | 97 | 88 | 78 | 1 | 5 | 4 | 0 |
| Securities fraud | 144 | 90 | 228 | 134 | 123 | 2 | 9 | 0 | 0 |
| Tax fraud | 802 | 850 | 926 | 1,032 | 946 | 11 | 63 | 9 | 3 |
| Other fraud | 775 | 729 | 969 | 937 | 809 | 11 | 87 | 29 | 1 |
| All other | 3,154 | 2,586 | 3,893 | 3,178 | 2,619 | 54 | 428 | 49 | 28 |

Note: See Note, table 5.5.

^aIncludes no cases initiated by transfer under Rule 20 (see footnote g).^bIncludes 429 cases terminated by transfer under Rule 20 (see footnote g).^cIncludes no defendants initiated by transfer under Rule 20 (see footnote g).^dIncludes 564 defendants terminated by transfer under Rule 20 (see footnote g).^eIncludes 15 verdicts of not guilty by reason of insanity involving 15 defendants.^fIncludes transfers, dismissals other than by court, pretrial diversions, and proceedings suspended indefinitely by court.^gRule 20 of the Federal Criminal Rules permits the transfer of a case from one district to another for plea and sentencing. That is, if an offender is arrested in one district on an indictment or information originating in another district, the offender may plead guilty and be sentenced in the arresting district.^hLaws of States adopted for areas within a Federal jurisdiction (18 U.S.C. sec. 13), e.g., driving while intoxicated on a military base.ⁱAn initiative focusing on repeat violent criminal offenders who possess firearms during the commission of a crime. These offenders are subject to a minimum mandatory sentence of 15 years imprisonment.^jIncludes cases with lead charge of violent crime, which would otherwise fall into another offense category.^kFraud against businesses or individuals involving the payment of a fee in advance for goods, services, or other things of value.Source: U.S. Department of Justice, Executive Office for United States Attorneys, *United States Attorneys' Annual Statistical Report: Fiscal Year 1998* (Washington, DC: USGPO, 1999), pp. 109, 110. Table adapted by SOURCEBOOK staff.

Table 5.7

Criminal cases commenced, terminated, and pending, and judgeships authorized in U.S. District Courts

1982-98

| | Judgeships authorized | Cases commenced ^a | | | Terminated | Pending ^b |
|----------------|-----------------------|------------------------------|---------------------|------------|------------|----------------------|
| | | Number | Cases per judgeship | Drug cases | | |
| 1982 | 515 | 32,682 | 63 | 4,218 | 31,889 | 16,659 |
| 1983 | 515 | 35,872 | 70 | 5,094 | 33,985 | 18,546 |
| 1984 | 515 | 36,845 | 72 | 5,606 | 35,494 | 19,938 |
| 1985 | 575 | 39,500 | 69 | 6,690 | 37,139 | 22,299 |
| 1986 | 575 | 41,490 | 72 | 7,893 | 39,328 | 24,453 |
| 1987 | 575 | 43,292 | 75 | 8,878 | 42,287 | 25,263 |
| 1988 | 575 | 43,607 | 76 | 10,603 | 41,878 | 28,776 |
| 1989 | 575 | 45,792 | 80 | 12,342 | 42,933 | 32,666 |
| 1990 | 575 | 46,568 | 81 | 11,547 | 43,296 | 35,308 |
| 1991 | 649 | 47,123 | 73 | 11,954 | 43,073 | 39,562 |
| 1992 | 649 | 48,366 | 75 | 12,833 | 44,147 | 34,078 |
| 1993 | 649 | 46,786 | 72 | 12,238 | 44,800 | 28,701 |
| 1994 | 649 | 45,484 | 70 | 11,369 | 45,129 | 26,328 |
| 1995 | 649 | 45,788 | 71 | 11,520 | 41,527 | 28,738 |
| 1996 | 647 | 47,889 | 74 | 12,092 | 45,499 | 32,156 |
| 1997 | 647 | 50,363 | 78 | 13,656 | 46,887 | 37,237 |
| 1998 | 646 | 57,691 | 89 | 16,281 | 51,428 | 43,500 |
| Percent change | | | | | | |
| 1998 over 1997 | 0.0% | 14.6% | 14.1% | 19.2% | 9.7% | 16.8% |

Note: Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aData for criminal cases commenced include transfers, with the exception of drug cases which exclude transfers.^bBeginning in 1993, pending totals exclude cases in which all defendants were fugitives for more than 1 year.Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1991, p. 90; 1992, p. 66; 1997, p. 20 (Washington, DC: USGPO); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1998 (Washington, DC: Administrative Office of the United States Courts, 1999), p. 21. Table adapted by SOURCEBOOK staff.

Table 5.8

Criminal cases filed, terminated, and pending in U.S. District Courts

1955-98

| | Pending at beginning of reporting period | Total filed | | Total terminated | Pending at end of reporting period | | Pending at beginning of reporting period | Total filed | | Total terminated | Pending at end of reporting period |
|------|--|----------------------------------|----------------------|------------------|------------------------------------|------|--|----------------------------------|----------------------|------------------|------------------------------------|
| | | Original proceeding ^a | Received by transfer | | | | | Original proceeding ^a | Received by transfer | | |
| 1955 | 10,100 | 35,310 | 1,813 | 38,580 | 8,643 | 1980 | 15,124 | 27,910 | 1,022 | 29,297 | 14,759 |
| 1956 | 8,643 | 28,739 | 1,914 | 32,053 | 7,243 | 1981 | 14,759 | 30,353 | 975 | 30,221 | 15,866 |
| 1957 | 7,243 | 28,120 | 1,958 | 29,826 | 7,495 | 1982 | 15,866 | 31,623 | 1,059 | 31,889 | 16,659 |
| 1958 | 7,495 | 28,897 | 1,840 | 30,781 | 7,451 | 1983 | 16,659 | 34,681 | 1,191 | 33,985 | 18,546 |
| 1959 | 7,451 | 28,729 | 1,924 | 30,377 | 7,727 | 1984 | 18,587 | 35,911 | 934 | 35,494 | 19,938 |
| 1960 | 7,727 | 28,137 | 1,691 | 29,864 | 7,691 | 1985 | 19,938 | 38,546 | 954 | 37,139 | 22,299 |
| 1961 | 7,691 | 28,460 | 1,808 | 29,881 | 8,078 | 1986 | 22,299 | 40,427 | 1,063 | 39,333 | 24,456 |
| 1962 | 8,078 | 29,274 | 1,743 | 30,013 | 9,082 | 1987 | 24,453 | 42,156 | 1,136 | 42,287 | 25,458 |
| 1963 | 9,082 | 29,858 | 1,888 | 31,546 | 9,282 | 1988 | 25,263 | 43,503 | 1,082 | 42,115 | 27,733 |
| 1964 | 9,282 | 29,944 | 1,789 | 31,437 | 9,578 | 1989 | 27,722 | 44,891 | 1,104 | 42,810 | 30,907 |
| 1965 | 9,578 | 31,569 | 1,765 | 32,078 | 10,834 | 1990 | 30,910 | 47,962 | 942 | 44,295 | 35,519 |
| 1966 | 10,834 | 29,729 | 1,765 | 30,644 | 11,684 | 1991 | 35,021 | 45,055 | 680 | 42,788 | 37,968 |
| 1967 | 11,684 | 30,534 | 1,673 | 30,350 | 13,541 | 1992 | 39,562 | 47,472 | 894 | 44,147 | 43,781 |
| 1968 | 13,541 | 30,714 | 1,857 | 31,349 | 14,763 | 1993 | 34,078 | 45,903 | 883 | 44,800 | 36,064 |
| 1969 | 14,763 | 33,585 | 1,828 | 32,406 | 17,770 | 1994 | 28,701 | 44,667 | 806 | 45,129 | 29,045 |
| 1970 | 17,770 | 38,102 | 1,857 | 36,819 | 20,910 | 1995 | 26,328 | 45,053 | 735 | 41,527 | 30,589 |
| 1971 | 20,910 | 41,290 | 1,867 | 39,582 | 24,485 | 1996 | 28,738 | 47,146 | 743 | 45,499 | 31,128 |
| 1972 | 24,485 | 47,043 | 2,011 | 48,101 | 25,438 | 1997 | 32,156 | 49,655 | 708 | 46,887 | 35,632 |
| 1973 | 25,438 | 40,367 | 2,067 | 43,456 | 24,416 | 1998 | 37,237 | 57,023 | 668 | 51,428 | 43,500 |
| 1974 | 24,416 | 37,667 | 2,087 | 41,526 | 22,644 | | | | | | |
| 1975 | 22,644 | 41,108 | 2,174 | 43,515 | 22,411 | | | | | | |
| 1976 | 22,411 | 39,147 | 1,911 | 43,675 | 19,794 | | | | | | |
| 1977 | 19,794 | 40,000 | 1,589 | 44,233 | 17,150 | | | | | | |
| 1978 | 17,150 | 34,624 | 1,359 | 37,286 | 15,847 | | | | | | |
| 1979 | 15,847 | 31,536 | 1,152 | 33,411 | 15,124 | | | | | | |

Note: There were two reporting changes during fiscal year 1976 that have affected the database. Beginning Oct. 1, 1975, all minor offenses (offenses involving penalties that do not exceed 1 year imprisonment or a fine of more than \$1,000), with the exception of most petty offenses (offenses involving penalties that do not exceed 6 months incarceration and/or a fine of not more than \$500), are included. Minor offenses are generally disposed of by the magistrates and, in past years, most of these minor offenses would not have been counted in the workload of the district courts. Second, when the Federal Government's motion to dismiss an original indictment or information is granted, the superseding indictment or information does not become a new case as in the years prior to 1976, but remains the same case. (An indictment is the charging document of the grand jury, and an information is the charging document of the U.S. attorney.) Data for 1955-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. These data were taken from the first year they were reported and do not reflect revisions made in subsequent years. Therefore, these data may differ from figures presented in table 5.7.

"Received by transfer" includes defendants transferred by Rule 20, *Federal Rules of Criminal Procedure*, which provides that defendants who (1) are arrested or held in a district other than that in which an indictment or information is pending against them or in which the warrant for their arrest was issued and (2) state in writing that they wish to plead guilty or nolo contendere, may consent to disposition of the case in the district in which they are arrested or are held, subject to the approval of the U.S. attorney for both districts.

^aIncludes reopens.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. 94; 1983, pp. 302, 303; 1985, pp. 336, 337; 1986, pp. 232, 233; 1995, pp. 195, 196; 1998, pp. 198, 199 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1982, pp. 272, 273; 1984, pp. 310, 311; 1987, pp. 238, 239; 1988, pp. 241, 242; 1989, pp. 239, 240; 1990, pp. 176, 177; 1991, pp. 230, 231; 1992, pp. 232, 233; 1993, pp. AI111, AI112; 1994, Table D-1; 1996, pp. 191, 192; 1997, pp. 184, 185 (Washington, DC: USGPO). Table constructed by SOURCEBOOK staff.

Page 390 intentionally blank.

Table 5.9

Criminal cases filed in U.S. District Courts

By offense, fiscal years 1993-98

| Offense | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|--------|--------|--------|--------|--------|--------|
| Total | 45,902 | 44,678 | 45,053 | 47,146 | 49,655 | 57,023 |
| Miscellaneous general offenses | 11,838 | 12,414 | 11,114 | 10,462 | 10,386 | 10,856 |
| Drunk driving and traffic | 6,228 | 7,080 | 5,214 | 5,045 | 4,974 | 4,982 |
| Weapons and firearms | 3,637 | 3,112 | 3,621 | 3,162 | 3,184 | 3,641 |
| Escape ^a | 725 | 739 | 697 | 723 | 587 | 564 |
| Kidnaping | 67 | 68 | 81 | 116 | 99 | 150 |
| Bribery | 205 | 283 | 190 | 152 | 168 | 174 |
| Extortion, racketeering, and threats | 491 | 509 | 713 | 557 | 572 | 617 |
| Gambling and lottery | 75 | 80 | 26 | 16 | 24 | 22 |
| Perjury | 111 | 93 | 85 | 99 | 87 | 126 |
| Other | 299 | 450 | 487 | 592 | 691 | 580 |
| Fraud | 7,575 | 7,098 | 7,414 | 7,633 | 7,874 | 8,342 |
| Drug laws | 12,238 | 11,369 | 11,520 | 12,092 | 13,656 | 16,281 |
| Larceny and theft | 3,322 | 3,337 | 3,432 | 3,674 | 3,299 | 3,590 |
| Forgery and counterfeiting | 1,059 | 1,093 | 1,001 | 987 | 1,156 | 1,346 |
| Embezzlement | 1,857 | 1,575 | 1,368 | 1,284 | 1,172 | 1,397 |
| Immigration laws | 2,487 | 2,595 | 3,960 | 5,526 | 6,677 | 9,339 |
| Federal statutes | 2,200 | 2,084 | 2,403 | 2,317 | 2,156 | 2,363 |
| Agricultural/conservation acts | 254 | 247 | 401 | 313 | 267 | 333 |
| Migratory bird laws | 27 | 39 | 27 | 48 | 22 | 42 |
| Civil rights ^b | 62 | 70 | 73 | 73 | 59 | 77 |
| Motor Carrier Act | 20 | 11 | 12 | 7 | 8 | 6 |
| Antitrust violations | 71 | 43 | 38 | 31 | 34 | 25 |
| Food and Drug Act | 67 | 46 | 55 | 48 | 48 | 47 |
| Contempt | 56 | 74 | 69 | 81 | 77 | 80 |
| National defense laws | 144 | 95 | 85 | 62 | 73 | 55 |
| Customs laws | 69 | 88 | 97 | 110 | 97 | 125 |
| Postal laws | 212 | 182 | 202 | 152 | 165 | 152 |
| Other | 1,218 | 1,189 | 1,344 | 1,392 | 1,306 | 1,421 |
| Robbery | 1,789 | 1,520 | 1,240 | 1,365 | 1,453 | 1,448 |
| Bank | 1,714 | 1,468 | 1,168 | 1,291 | 1,384 | 1,392 |
| Postal | 51 | 35 | 43 | 36 | 29 | 32 |
| Other | 24 | 17 | 29 | 38 | 40 | 24 |
| Assault | 523 | 563 | 561 | 540 | 527 | 629 |
| Motor vehicle theft | 349 | 335 | 267 | 232 | 189 | 182 |
| Burglary | 141 | 139 | 63 | 65 | 70 | 89 |
| Homicide | 181 | 195 | 295 | 344 | 348 | 384 |
| Sex offenses | 337 | 359 | 412 | 623 | 690 | 777 |
| Liquor, Internal Revenue | 6 | 2 | 3 | 2 | 2 | 0 |

Note: See Note, table 5.8. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aIncludes escape from custody, aiding or abetting an escape, failure to appear in court, and bail jumping.

^bIncludes cases removed from State courts under provisions of the Civil Rights Act, Title 28 U.S.C. Section 1443.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 196-198; and Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 210-212. Table adapted by SOURCEBOOK staff.

Table 5.10

Criminal cases filed, terminated, and pending in U.S. District Courts

By type of offense, circuit, and district, fiscal year 1998

| Circuit and district | Pending Oct. 1, 1997 | | | | Filed | | | | | | |
|-----------------------|----------------------|--------|-------------|--------------------|-----------------|----------------------|--------|-------------|--------------------|----------------------|-----------|
| | Total | Felony | Misdemeanor | Other ^a | Total commenced | Original proceedings | | | | Reopens ^b | Transfers |
| | | | | | | Total | Felony | Misdemeanor | Other ^a | | |
| Total | 37,237 | 32,069 | 4,800 | 368 | 57,691 | 56,686 | 43,882 | 11,782 | 1,022 | 337 | 668 |
| District of Columbia | 629 | 557 | 71 | 1 | 501 | 499 | 404 | 95 | 0 | 1 | 1 |
| First Circuit | 1,237 | 1,190 | 35 | 12 | 1,028 | 1,006 | 961 | 33 | 12 | 9 | 13 |
| Maine | 77 | 75 | 2 | 0 | 141 | 141 | 133 | 7 | 1 | 0 | 0 |
| Massachusetts | 418 | 397 | 16 | 5 | 376 | 366 | 354 | 8 | 4 | 3 | 7 |
| New Hampshire | 188 | 188 | 0 | 0 | 143 | 141 | 140 | 1 | 0 | 1 | 1 |
| Rhode Island | 205 | 196 | 8 | 1 | 120 | 119 | 119 | 0 | 0 | 1 | 0 |
| Puerto Rico | 349 | 334 | 9 | 6 | 248 | 239 | 215 | 17 | 7 | 4 | 5 |
| Second Circuit | 6,066 | 5,423 | 581 | 62 | 3,592 | 3,524 | 3,060 | 445 | 19 | 22 | 46 |
| Connecticut | 216 | 211 | 5 | 0 | 221 | 214 | 207 | 3 | 4 | 1 | 6 |
| New York: | | | | | | | | | | | |
| Northern | 316 | 251 | 65 | 0 | 517 | 510 | 297 | 213 | 0 | 2 | 5 |
| Eastern | 1,891 | 1,823 | 65 | 3 | 1,102 | 1,080 | 1,043 | 37 | 0 | 3 | 19 |
| Southern ^c | 3,186 | 2,724 | 403 | 59 | 1,335 | 1,310 | 1,145 | 152 | 13 | 16 | 9 |
| Western | 361 | 319 | 42 | 0 | 307 | 300 | 259 | 39 | 2 | 0 | 7 |
| Vermont | 96 | 95 | 1 | 0 | 110 | 110 | 109 | 1 | 0 | 0 | 0 |
| Third Circuit | 2,122 | 1,857 | 236 | 29 | 2,744 | 2,683 | 2,019 | 429 | 235 | 12 | 49 |
| Delaware | 101 | 87 | 14 | 0 | 123 | 120 | 102 | 17 | 1 | 0 | 3 |
| New Jersey | 794 | 601 | 189 | 4 | 1,023 | 997 | 633 | 358 | 6 | 7 | 19 |
| Pennsylvania: | | | | | | | | | | | |
| Eastern | 645 | 636 | 6 | 3 | 665 | 646 | 616 | 19 | 11 | 2 | 17 |
| Middle | 236 | 219 | 15 | 2 | 291 | 288 | 270 | 16 | 2 | 0 | 3 |
| Western | 165 | 158 | 7 | 0 | 265 | 255 | 244 | 11 | 0 | 3 | 7 |
| Virgin Islands | 181 | 156 | 5 | 20 | 377 | 377 | 154 | 8 | 215 | 0 | 0 |
| Fourth Circuit | 3,298 | 2,583 | 668 | 47 | 6,540 | 6,437 | 3,562 | 2,771 | 104 | 44 | 59 |
| Maryland | 607 | 462 | 125 | 20 | 545 | 542 | 414 | 113 | 15 | 0 | 3 |
| North Carolina: | | | | | | | | | | | |
| Eastern | 360 | 164 | 190 | 6 | 848 | 827 | 293 | 497 | 37 | 14 | 7 |
| Middle | 185 | 182 | 1 | 2 | 313 | 304 | 298 | 6 | 0 | 1 | 8 |
| Western | 354 | 345 | 5 | 4 | 339 | 324 | 297 | 19 | 8 | 9 | 6 |
| South Carolina | 476 | 463 | 11 | 2 | 799 | 770 | 699 | 70 | 1 | 1 | 28 |
| Virginia: | | | | | | | | | | | |
| Eastern | 828 | 506 | 313 | 9 | 3,108 | 3,089 | 1,022 | 2,032 | 35 | 16 | 3 |
| Western | 256 | 238 | 14 | 4 | 262 | 260 | 233 | 22 | 5 | 1 | 1 |
| West Virginia: | | | | | | | | | | | |
| Northern | 94 | 92 | 2 | 0 | 113 | 109 | 104 | 2 | 3 | 1 | 3 |
| Southern | 138 | 131 | 7 | 0 | 213 | 212 | 202 | 10 | 0 | 1 | 0 |
| Fifth Circuit | 3,884 | 3,645 | 187 | 52 | 9,294 | 9,181 | 8,038 | 999 | 144 | 27 | 86 |
| Louisiana: | | | | | | | | | | | |
| Eastern | 211 | 206 | 4 | 1 | 263 | 257 | 246 | 6 | 5 | 2 | 4 |
| Middle | 66 | 62 | 2 | 2 | 149 | 146 | 140 | 5 | 1 | 1 | 2 |
| Western | 251 | 154 | 91 | 6 | 299 | 294 | 164 | 124 | 6 | 0 | 5 |
| Mississippi: | | | | | | | | | | | |
| Northern | 76 | 74 | 2 | 0 | 100 | 96 | 93 | 2 | 1 | 1 | 3 |
| Southern | 164 | 152 | 7 | 5 | 254 | 242 | 215 | 10 | 17 | 1 | 11 |
| Texas: | | | | | | | | | | | |
| Northern | 506 | 464 | 18 | 24 | 956 | 932 | 815 | 97 | 20 | 4 | 20 |
| Eastern | 270 | 264 | 6 | 0 | 386 | 385 | 367 | 15 | 3 | 1 | 0 |
| Southern | 1,078 | 1,052 | 19 | 7 | 3,134 | 3,107 | 2,885 | 161 | 61 | 5 | 22 |
| Western | 1,262 | 1,217 | 38 | 7 | 3,753 | 3,722 | 3,113 | 579 | 30 | 12 | 19 |
| Sixth Circuit | 2,497 | 2,252 | 232 | 13 | 3,883 | 3,767 | 3,082 | 593 | 92 | 59 | 57 |
| Kentucky: | | | | | | | | | | | |
| Eastern | 206 | 201 | 5 | 0 | 414 | 409 | 393 | 15 | 1 | 0 | 5 |
| Western | 246 | 115 | 131 | 0 | 586 | 577 | 200 | 376 | 1 | 2 | 7 |
| Michigan: | | | | | | | | | | | |
| Eastern | 685 | 657 | 25 | 3 | 659 | 597 | 559 | 30 | 8 | 49 | 13 |
| Western | 124 | 119 | 5 | 0 | 263 | 260 | 240 | 18 | 2 | 1 | 2 |
| Ohio: | | | | | | | | | | | |
| Northern | 282 | 280 | 2 | 0 | 558 | 552 | 544 | 8 | 0 | 0 | 6 |
| Southern | 258 | 240 | 18 | 0 | 470 | 462 | 405 | 53 | 4 | 1 | 7 |
| Tennessee: | | | | | | | | | | | |
| Eastern | 220 | 212 | 8 | 0 | 329 | 322 | 269 | 51 | 2 | 0 | 7 |
| Middle | 128 | 125 | 2 | 1 | 171 | 157 | 141 | 16 | 0 | 6 | 8 |
| Western | 348 | 303 | 36 | 9 | 433 | 431 | 331 | 26 | 74 | 0 | 2 |

See notes at end of table.

| Total terminated | Terminated | | | | | | Pending Sept. 30, 1998 | | | |
|---------------------|----------------------|--------|-------------|--------------------|----------------------|-----------|------------------------|--------|-------------|--------------------|
| | Original proceedings | | | | | | Total | Felony | Misdemeanor | Other ^a |
| | Total | Felony | Misdemeanor | Other ^a | Reopens ^b | Transfers | | | | |
| 51,428 | 50,542 | 37,994 | 11,085 | 1,463 | 266 | 620 | 43,500 | 37,491 | 5,540 | 469 |
| 463 | 460 | 341 | 118 | 1 | 2 | 1 | 667 | 616 | 51 | 0 |
| 942 | 921 | 865 | 41 | 15 | 5 | 16 | 1,323 | 1,283 | 30 | 10 |
| 131 | 128 | 122 | 6 | 0 | 0 | 3 | 87 | 83 | 3 | 1 |
| 323 | 317 | 295 | 16 | 6 | 1 | 5 | 471 | 458 | 9 | 4 |
| 121 | 117 | 115 | 2 | 0 | 0 | 4 | 210 | 210 | 0 | 0 |
| 107 | 107 | 104 | 2 | 1 | 0 | 0 | 218 | 211 | 7 | 0 |
| 260 | 252 | 229 | 15 | 8 | 4 | 4 | 337 | 321 | 11 | 5 |
| 3,132 | 3,097 | 2,717 | 330 | 50 | 17 | 18 | 6,526 | 5,777 | 688 | 6 |
| 218 | 214 | 201 | 9 | 4 | 2 | 2 | 219 | 214 | 4 | 1 |
| 389 | 385 | 208 | 148 | 29 | 0 | 4 | 444 | 342 | 102 | 0 |
| 1,036 | 1,031 | 997 | 31 | 3 | 3 | 2 | 1,957 | 1,877 | 80 | 0 |
| 1,086 | 1,067 | 953 | 102 | 12 | 12 | 7 | 3,435 | 2,917 | 458 | 60 |
| 307 | 304 | 265 | 37 | 2 | 0 | 3 | 361 | 317 | 44 | 0 |
| 96 | 96 | 93 | 3 | 0 | 0 | 0 | 110 | 110 | 0 | 0 |
| 2,541 | 2,512 | 1,881 | 395 | 236 | 7 | 22 | 2,325 | 2,025 | 271 | 29 |
| 124 | 124 | 103 | 21 | 0 | 0 | 0 | 100 | 88 | 11 | 1 |
| 907 | 895 | 565 | 323 | 7 | 6 | 6 | 910 | 680 | 226 | 4 |
| 635 | 626 | 601 | 15 | 10 | 1 | 8 | 675 | 662 | 9 | 4 |
| 279 | 278 | 256 | 18 | 4 | 0 | 1 | 248 | 236 | 12 | 0 |
| 237 | 231 | 218 | 13 | 0 | 0 | 6 | 193 | 188 | 5 | 0 |
| 359 | 358 | 138 | 5 | 215 | 0 | 1 | 199 | 171 | 8 | 20 |
| 5,702 | 5,619 | 3,099 | 2,333 | 187 | 24 | 59 | 4,136 | 2,993 | 1,067 | 76 |
| 488 | 485 | 325 | 153 | 7 | 0 | 3 | 664 | 550 | 85 | 29 |
| 724 | 710 | 257 | 372 | 81 | 8 | 6 | 484 | 202 | 278 | 4 |
| 271 | 260 | 252 | 8 | 0 | 4 | 7 | 227 | 220 | 5 | 2 |
| 311 | 305 | 275 | 22 | 8 | 3 | 3 | 382 | 371 | 5 | 6 |
| 661 | 637 | 547 | 90 | 0 | 1 | 23 | 614 | 583 | 28 | 3 |
| 2,654 | 2,640 | 907 | 1,646 | 87 | 4 | 10 | 1,282 | 614 | 646 | 22 |
| 249 | 246 | 217 | 27 | 2 | 1 | 2 | 269 | 249 | 12 | 8 |
| 126 | 124 | 118 | 5 | 1 | 1 | 1 | 81 | 79 | 0 | 2 |
| 218 | 212 | 201 | 10 | 1 | 2 | 4 | 133 | 125 | 8 | 0 |
| 8,079 | 7,974 | 6,799 | 998 | 177 | 30 | 75 | 5,099 | 4,786 | 244 | 69 |
| 290 | 279 | 267 | 8 | 4 | 5 | 6 | 184 | 178 | 4 | 2 |
| 125 | 119 | 113 | 5 | 1 | 1 | 5 | 90 | 86 | 2 | 2 |
| 295 | 287 | 167 | 114 | 6 | 0 | 8 | 255 | 149 | 100 | 6 |
| 130 | 126 | 120 | 6 | 0 | 2 | 2 | 46 | 45 | 0 | 1 |
| 251 | 243 | 208 | 17 | 18 | 1 | 7 | 167 | 158 | 5 | 4 |
| 799 | 781 | 658 | 96 | 27 | 3 | 15 | 663 | 605 | 35 | 23 |
| 404 | 395 | 379 | 15 | 1 | 4 | 5 | 252 | 241 | 9 | 2 |
| 2,617 | 2,600 | 2,351 | 168 | 81 | 3 | 14 | 1,595 | 1,547 | 32 | 16 |
| 3,168 | 3,144 | 2,536 | 569 | 39 | 11 | 13 | 1,847 | 1,777 | 57 | 13 |
| 3,497 | 3,400 | 2,759 | 537 | 104 | 16 | 81 | 2,883 | 2,550 | 308 | 25 |
| 363 | 357 | 341 | 15 | 1 | 1 | 5 | 257 | 250 | 6 | 1 |
| 493 | 482 | 153 | 318 | 11 | 3 | 8 | 339 | 156 | 182 | 1 |
| 653 | 628 | 580 | 41 | 7 | 4 | 21 | 691 | 660 | 27 | 4 |
| 224 | 214 | 187 | 25 | 2 | 1 | 9 | 163 | 158 | 5 | 0 |
| 518 | 512 | 496 | 12 | 4 | 0 | 6 | 322 | 320 | 2 | 0 |
| 389 | 379 | 317 | 53 | 9 | 2 | 8 | 339 | 321 | 18 | 0 |
| 283 | 271 | 240 | 30 | 1 | 0 | 12 | 266 | 235 | 30 | 1 |
| 136 | 120 | 112 | 7 | 1 | 5 | 11 | 163 | 151 | 12 | 0 |
| 438 | 437 | 333 | 36 | 68 | 0 | 1 | 343 | 299 | 26 | 18 |

Table 5.10

Criminal cases filed, terminated, and pending in U.S. District Courts

By type of offense, circuit, and district, fiscal year 1998--Continued

| Circuit and district | Pending Oct. 1, 1997 | | | | Total commenced | Filed | | | | | Reopens ^b | Transfers |
|----------------------|----------------------|--------|-------------|--------------------|-----------------|----------------------|--------|-------------|--------------------|----|----------------------|-----------|
| | Total | Felony | Misdemeanor | Other ^a | | Original proceedings | | | | | | |
| | | | | | | Total | Felony | Misdemeanor | Other ^a | | | |
| Seventh Circuit | 1,222 | 1,152 | 58 | 12 | 2,001 | 1,975 | 1,726 | 160 | 89 | 9 | 17 | |
| Illinois: | | | | | | | | | | | | |
| Northern | 481 | 462 | 17 | 2 | 513 | 507 | 446 | 61 | 0 | 2 | 4 | |
| Central | 146 | 127 | 19 | 0 | 302 | 298 | 259 | 38 | 1 | 2 | 2 | |
| Southern | 117 | 111 | 3 | 3 | 375 | 371 | 279 | 15 | 77 | 3 | 1 | |
| Indiana: | | | | | | | | | | | | |
| Northern | 174 | 165 | 7 | 2 | 305 | 301 | 278 | 21 | 2 | 0 | 4 | |
| Southern | 107 | 99 | 4 | 4 | 194 | 189 | 168 | 12 | 9 | 2 | 3 | |
| Wisconsin: | | | | | | | | | | | | |
| Eastern | 134 | 128 | 6 | 0 | 207 | 204 | 199 | 5 | 0 | 0 | 3 | |
| Western | 63 | 60 | 2 | 1 | 105 | 105 | 97 | 8 | 0 | 0 | 0 | |
| Eighth Circuit | 1,709 | 1,585 | 86 | 38 | 3,150 | 3,106 | 2,860 | 190 | 56 | 13 | 31 | |
| Arkansas: | | | | | | | | | | | | |
| Eastern | 173 | 162 | 3 | 8 | 277 | 272 | 260 | 5 | 7 | 1 | 4 | |
| Western | 45 | 34 | 9 | 2 | 158 | 152 | 142 | 8 | 2 | 1 | 5 | |
| Iowa: | | | | | | | | | | | | |
| Northern | 130 | 128 | 2 | 0 | 161 | 155 | 143 | 12 | 0 | 0 | 6 | |
| Southern | 113 | 108 | 4 | 1 | 251 | 250 | 248 | 1 | 1 | 1 | 0 | |
| Minnesota: | | | | | | | | | | | | |
| Northern | 203 | 199 | 4 | 0 | 338 | 331 | 315 | 15 | 1 | 1 | 6 | |
| Missouri: | | | | | | | | | | | | |
| Eastern | 272 | 229 | 43 | 0 | 561 | 550 | 467 | 83 | 0 | 3 | 8 | |
| Western | 224 | 214 | 10 | 0 | 372 | 370 | 340 | 28 | 2 | 0 | 2 | |
| Nebraska: | | | | | | | | | | | | |
| Northern | 222 | 209 | 1 | 12 | 387 | 386 | 355 | 13 | 18 | 1 | 0 | |
| North Dakota: | | | | | | | | | | | | |
| Northern | 88 | 86 | 2 | 0 | 199 | 199 | 184 | 15 | 0 | 0 | 0 | |
| South Dakota: | | | | | | | | | | | | |
| Northern | 239 | 216 | 8 | 15 | 446 | 441 | 406 | 10 | 25 | 5 | 0 | |
| Ninth Circuit | 7,910 | 6,093 | 1,746 | 71 | 14,318 | 14,105 | 11,281 | 2,628 | 196 | 62 | 151 | |
| Alaska: | | | | | | | | | | | | |
| Northern | 89 | 56 | 31 | 2 | 263 | 260 | 167 | 82 | 11 | 1 | 2 | |
| Arizona: | | | | | | | | | | | | |
| Northern | 927 | 885 | 36 | 6 | 2,950 | 2,915 | 2,236 | 666 | 13 | 4 | 31 | |
| California: | | | | | | | | | | | | |
| Northern | 620 | 515 | 101 | 4 | 659 | 649 | 392 | 255 | 2 | 2 | 8 | |
| Eastern | 752 | 528 | 204 | 20 | 912 | 906 | 735 | 170 | 1 | 1 | 5 | |
| Central | 1,521 | 1,459 | 40 | 22 | 1,399 | 1,326 | 1,286 | 31 | 9 | 25 | 48 | |
| Southern | 1,058 | 1,011 | 47 | 0 | 3,825 | 3,807 | 3,717 | 86 | 4 | 10 | 8 | |
| Hawaii: | | | | | | | | | | | | |
| Northern | 971 | 194 | 777 | 0 | 718 | 711 | 224 | 487 | 0 | 1 | 6 | |
| Idaho: | | | | | | | | | | | | |
| Northern | 71 | 60 | 5 | 6 | 155 | 152 | 111 | 20 | 21 | 3 | 0 | |
| Montana: | | | | | | | | | | | | |
| Northern | 290 | 214 | 76 | 0 | 356 | 353 | 212 | 141 | 0 | 1 | 2 | |
| Nevada: | | | | | | | | | | | | |
| Northern | 317 | 309 | 7 | 1 | 534 | 518 | 509 | 9 | 0 | 4 | 12 | |
| Oregon: | | | | | | | | | | | | |
| Northern | 360 | 344 | 14 | 2 | 741 | 727 | 687 | 39 | 1 | 0 | 14 | |
| Washington: | | | | | | | | | | | | |
| Eastern | 202 | 199 | 3 | 0 | 392 | 382 | 372 | 6 | 4 | 5 | 5 | |
| Western | 597 | 194 | 397 | 6 | 1,088 | 1,077 | 442 | 628 | 7 | 1 | 10 | |
| Guam: | | | | | | | | | | | | |
| Northern | 112 | 103 | 7 | 2 | 279 | 275 | 146 | 6 | 123 | 4 | 0 | |
| Northern Marianas: | | | | | | | | | | | | |
| Northern | 23 | 22 | 1 | 0 | 47 | 47 | 45 | 2 | 0 | 0 | 0 | |
| Tenth Circuit | 2,158 | 1,531 | 613 | 14 | 3,480 | 3,418 | 2,616 | 774 | 28 | 24 | 38 | |
| Colorado: | | | | | | | | | | | | |
| Northern | 374 | 234 | 138 | 2 | 533 | 522 | 380 | 137 | 5 | 1 | 10 | |
| Kansas: | | | | | | | | | | | | |
| Northern | 273 | 228 | 45 | 0 | 377 | 368 | 322 | 44 | 2 | 6 | 3 | |
| New Mexico: | | | | | | | | | | | | |
| Northern | 864 | 532 | 330 | 2 | 939 | 934 | 809 | 121 | 4 | 1 | 4 | |
| Oklahoma: | | | | | | | | | | | | |
| Northern | 102 | 95 | 5 | 2 | 180 | 169 | 156 | 12 | 1 | 2 | 9 | |
| Eastern | 33 | 33 | 0 | 0 | 69 | 68 | 61 | 6 | 1 | 0 | 1 | |
| Western | 181 | 111 | 69 | 1 | 585 | 576 | 215 | 361 | 0 | 4 | 5 | |
| Utah: | | | | | | | | | | | | |
| Northern | 269 | 244 | 22 | 3 | 652 | 640 | 561 | 75 | 4 | 7 | 5 | |
| Wyoming: | | | | | | | | | | | | |
| Northern | 62 | 54 | 4 | 4 | 145 | 141 | 112 | 18 | 11 | 3 | 1 | |
| Eleventh Circuit | 4,505 | 4,201 | 287 | 17 | 7,160 | 6,985 | 4,273 | 2,665 | 47 | 55 | 120 | |
| Alabama: | | | | | | | | | | | | |
| Northern | 146 | 131 | 13 | 2 | 360 | 346 | 264 | 77 | 5 | 2 | 12 | |
| Middle | 183 | 124 | 59 | 0 | 216 | 210 | 129 | 80 | 1 | 3 | 3 | |
| Southern | 268 | 264 | 4 | 0 | 207 | 197 | 193 | 4 | 0 | 2 | 8 | |
| Florida: | | | | | | | | | | | | |
| Northern | 267 | 250 | 17 | 0 | 337 | 304 | 256 | 46 | 2 | 14 | 19 | |
| Middle | 961 | 949 | 8 | 4 | 1,286 | 1,248 | 1,216 | 19 | 13 | 11 | 27 | |
| Southern | 1,824 | 1,792 | 26 | 6 | 1,421 | 1,376 | 1,351 | 14 | 11 | 16 | 29 | |
| Georgia: | | | | | | | | | | | | |
| Northern | 414 | 381 | 28 | 5 | 682 | 660 | 472 | 173 | 15 | 4 | 18 | |
| Middle | 265 | 222 | 43 | 0 | 2,363 | 2,358 | 245 | 2,113 | 0 | 2 | 3 | |
| Southern | 177 | 88 | 89 | 0 | 288 | 286 | 147 | 139 | 0 | 1 | 1 | |

^aPrimarily petty offenses assigned to a district judge.^bIncludes appeals from magistrates, reopens, and remands.^cPending case totals include some cases in which all defendants have been fugitives for more than 1 year.Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 198-203.

| Total terminated | Terminated | | | | | | Pending Sept. 30, 1998 | | | |
|---------------------|----------------------|--------|-------------|--------------------|----------------------|-----------|------------------------|--------|-------------|--------------------|
| | Original proceedings | | | | | | Total | Felony | Misdemeanor | Other ^a |
| | Total | Felony | Misdemeanor | Other ^a | Reopens ^b | Transfers | | | | |
| 1,701 | 1,671 | 1,445 | 143 | 83 | 13 | 17 | 1,522 | 1,417 | 89 | 16 |
| 422 | 416 | 371 | 45 | 0 | 1 | 5 | 572 | 534 | 36 | 2 |
| 229 | 224 | 196 | 28 | 0 | 3 | 2 | 219 | 188 | 30 | 1 |
| 317 | 309 | 221 | 14 | 74 | 5 | 3 | 175 | 169 | 2 | 4 |
| 256 | 253 | 229 | 23 | 1 | 1 | 2 | 223 | 212 | 8 | 3 |
| 185 | 181 | 160 | 14 | 7 | 2 | 2 | 116 | 107 | 3 | 6 |
| 184 | 182 | 169 | 13 | 0 | 1 | 1 | 157 | 152 | 5 | 0 |
| 108 | 106 | 99 | 6 | 1 | 0 | 2 | 60 | 55 | 5 | 0 |
| 2,808 | 2,746 | 2,465 | 208 | 73 | 14 | 48 | 2,051 | 1,932 | 91 | 28 |
| 253 | 246 | 230 | 5 | 11 | 0 | 7 | 197 | 189 | 3 | 5 |
| 139 | 133 | 118 | 11 | 4 | 1 | 5 | 64 | 57 | 5 | 2 |
| 147 | 143 | 134 | 8 | 1 | 0 | 4 | 144 | 137 | 7 | 0 |
| 177 | 176 | 169 | 4 | 3 | 0 | 1 | 187 | 183 | 2 | 2 |
| 305 | 299 | 283 | 14 | 2 | 2 | 4 | 236 | 229 | 7 | 0 |
| 536 | 525 | 434 | 91 | 0 | 5 | 6 | 297 | 262 | 35 | 0 |
| 318 | 309 | 280 | 28 | 1 | 0 | 9 | 278 | 267 | 10 | 1 |
| 281 | 276 | 244 | 13 | 19 | 0 | 5 | 328 | 318 | 3 | 7 |
| 196 | 195 | 176 | 17 | 2 | 0 | 1 | 91 | 83 | 8 | 0 |
| 456 | 444 | 397 | 17 | 30 | 6 | 6 | 229 | 207 | 11 | 11 |
| 12,621 | 12,458 | 9,512 | 2,536 | 410 | 66 | 97 | 9,607 | 7,697 | 1,797 | 113 |
| 240 | 239 | 130 | 101 | 8 | 0 | 1 | 112 | 80 | 23 | 9 |
| 2,597 | 2,587 | 1,881 | 686 | 20 | 6 | 4 | 1,280 | 1,234 | 36 | 10 |
| 558 | 543 | 412 | 125 | 6 | 3 | 12 | 721 | 487 | 231 | 3 |
| 884 | 879 | 612 | 179 | 88 | 0 | 5 | 780 | 551 | 212 | 17 |
| 1,160 | 1,123 | 1,058 | 39 | 26 | 26 | 11 | 1,760 | 1,709 | 38 | 13 |
| 3,307 | 3,292 | 3,158 | 129 | 5 | 8 | 7 | 1,576 | 1,544 | 32 | 0 |
| 723 | 714 | 165 | 543 | 6 | 0 | 9 | 966 | 255 | 711 | 0 |
| 116 | 111 | 81 | 13 | 17 | 3 | 2 | 110 | 86 | 13 | 11 |
| 411 | 406 | 223 | 182 | 1 | 2 | 3 | 235 | 187 | 48 | 0 |
| 419 | 403 | 383 | 18 | 2 | 4 | 12 | 432 | 432 | 0 | 0 |
| 607 | 601 | 569 | 27 | 5 | 0 | 6 | 494 | 460 | 32 | 2 |
| 358 | 343 | 333 | 7 | 3 | 12 | 3 | 236 | 232 | 3 | 1 |
| 955 | 932 | 318 | 480 | 134 | 1 | 22 | 730 | 310 | 409 | 11 |
| 258 | 257 | 162 | 6 | 89 | 1 | 0 | 133 | 90 | 7 | 36 |
| 28 | 28 | 27 | 1 | 0 | 0 | 0 | 42 | 40 | 2 | 0 |
| 3,104 | 2,995 | 2,178 | 765 | 52 | 20 | 89 | 2,534 | 1,900 | 615 | 19 |
| 428 | 406 | 281 | 115 | 10 | 1 | 21 | 479 | 321 | 157 | 1 |
| 381 | 369 | 297 | 69 | 3 | 5 | 7 | 269 | 246 | 22 | 1 |
| 948 | 911 | 719 | 180 | 12 | 1 | 36 | 855 | 583 | 269 | 3 |
| 163 | 157 | 146 | 8 | 3 | 1 | 5 | 119 | 109 | 9 | 1 |
| 53 | 51 | 46 | 4 | 1 | 0 | 2 | 49 | 47 | 2 | 0 |
| 528 | 519 | 183 | 329 | 7 | 3 | 6 | 238 | 142 | 95 | 1 |
| 473 | 459 | 409 | 41 | 9 | 8 | 6 | 448 | 386 | 57 | 5 |
| 130 | 123 | 97 | 19 | 7 | 1 | 6 | 77 | 66 | 4 | 7 |
| 6,838 | 6,689 | 3,933 | 2,681 | 75 | 52 | 97 | 4,827 | 4,515 | 289 | 23 |
| 316 | 308 | 237 | 64 | 7 | 1 | 7 | 190 | 161 | 27 | 2 |
| 218 | 209 | 137 | 67 | 5 | 5 | 4 | 181 | 110 | 70 | 1 |
| 264 | 251 | 244 | 7 | 0 | 5 | 8 | 211 | 207 | 4 | 0 |
| 312 | 298 | 247 | 48 | 3 | 5 | 9 | 292 | 277 | 15 | 0 |
| 1,189 | 1,149 | 1,098 | 28 | 23 | 15 | 25 | 1,058 | 1,044 | 7 | 7 |
| 1,216 | 1,182 | 1,147 | 22 | 13 | 16 | 18 | 2,029 | 2,000 | 24 | 5 |
| 668 | 649 | 441 | 190 | 18 | 3 | 16 | 428 | 398 | 22 | 8 |
| 2,341 | 2,337 | 227 | 2,108 | 2 | 2 | 2 | 287 | 240 | 47 | 0 |
| 314 | 306 | 155 | 147 | 4 | 0 | 8 | 151 | 78 | 73 | 0 |

Table 5.11

Defendants detained by U.S. District Courts^a

By circuit and district, fiscal year 1998

| Circuit and district | Number of cases closed | Total detention cost (in dollars) | Before initial hearing | | | After initial hearing | | | Post adjudication | | |
|----------------------|------------------------|-----------------------------------|------------------------|----------------|-------------------|-----------------------|----------------|-------------------|----------------------|----------------|-------------------|
| | | | Number of defendants | Number of days | Cost (in dollars) | Number of defendants | Number of days | Cost (in dollars) | Number of defendants | Number of days | Cost (in dollars) |
| Total | 69,693 | \$349,011,813 | 27,339 | 56,224 | \$3,227,154 | 39,737 | 3,399,367 | \$183,531,050 | 25,250 | 2,957,552 | \$162,253,609 |
| First Circuit | 1,740 | 16,197,976 | 404 | 861 | 50,354 | 1,048 | 161,607 | 9,600,431 | 771 | 111,955 | 6,547,191 |
| Maine | 164 | 885,614 | 40 | 91 | 4,641 | 93 | 7,850 | 400,350 | 87 | 9,424 | 480,624 |
| Massachusetts | 685 | 7,110,840 | 111 | 203 | 12,180 | 413 | 76,425 | 4,585,500 | 273 | 41,886 | 2,513,160 |
| New Hampshire | 167 | 981,000 | 3 | 6 | 300 | 80 | 9,444 | 472,200 | 78 | 10,170 | 508,500 |
| Rhode Island | 149 | 964,100 | 18 | 25 | 1,250 | 93 | 9,476 | 473,800 | 80 | 9,781 | 489,050 |
| Puerto Rico | 575 | 6,256,421 | 232 | 536 | 31,983 | 369 | 58,412 | 3,668,581 | 253 | 40,694 | 255,857 |
| Second Circuit | 5,311 | 45,823,233 | 1,640 | 2,509 | 161,051 | 2,759 | 316,483 | 20,305,584 | 1,789 | 403,906 | 25,356,598 |
| Connecticut | 344 | 2,654,584 | 34 | 53 | 3,604 | 148 | 17,973 | 1,222,164 | 100 | 21,012 | 1,428,816 |
| New York: | | | | | | | | | | | |
| Northern | 532 | 3,685,360 | 133 | 313 | 21,910 | 316 | 33,110 | 2,317,700 | 79 | 19,225 | 1,345,750 |
| Eastern | 1,769 | 15,292,160 | 749 | 1,136 | 72,704 | 1,123 | 97,413 | 6,234,432 | 729 | 140,391 | 8,985,024 |
| Southern | 1,977 | 18,599,214 | 605 | 757 | 43,149 | 936 | 134,569 | 7,670,433 | 694 | 190,976 | 10,885,632 |
| Western | 552 | 4,753,217 | 73 | 143 | 13,585 | 188 | 28,214 | 2,564,227 | 133 | 22,899 | 2,175,405 |
| Vermont | 137 | 838,698 | 46 | 107 | 6,099 | 48 | 5,204 | 296,628 | 54 | 9,403 | 535,971 |
| Third Circuit | 3,462 | 17,983,314 | 665 | 3,453 | 162,384 | 1,610 | 182,608 | 9,279,610 | 1,000 | 164,054 | 8,541,320 |
| Delaware | 170 | 817,550 | 41 | 98 | 4,900 | 88 | 6,614 | 330,700 | 71 | 9,639 | 481,950 |
| New Jersey | 1,235 | 5,347,800 | 325 | 2,776 | 124,920 | 508 | 61,779 | 2,780,055 | 355 | 54,285 | 2,442,825 |
| Pennsylvania: | | | | | | | | | | | |
| Eastern | 1,086 | 7,912,199 | 47 | 124 | 7,055 | 547 | 72,837 | 4,115,505 | 327 | 66,672 | 3,789,639 |
| Middle | 349 | 1,734,975 | 47 | 111 | 6,467 | 131 | 14,261 | 832,274 | 103 | 15,357 | 896,234 |
| Western | 281 | 906,600 | 23 | 62 | 2,480 | 121 | 16,039 | 641,560 | 69 | 6,564 | 262,560 |
| Virgin Islands | 341 | 1,264,190 | 182 | 282 | 16,562 | 215 | 11,078 | 579,516 | 75 | 11,537 | 668,112 |
| Fourth Circuit | 6,746 | 26,739,997 | 1,204 | 3,090 | 155,896 | 3,138 | 243,368 | 12,213,126 | 2,299 | 275,125 | 14,370,975 |
| Maryland | 781 | 3,617,670 | 108 | 202 | 12,694 | 384 | 35,953 | 2,257,858 | 203 | 21,451 | 1,347,118 |
| North Carolina: | | | | | | | | | | | |
| Eastern | 795 | 1,969,875 | 93 | 141 | 6,345 | 252 | 18,153 | 816,885 | 225 | 25,481 | 1,146,645 |
| Middle | 306 | 1,904,943 | 71 | 135 | 7,925 | 215 | 10,876 | 636,302 | 159 | 21,550 | 1,260,716 |
| Western | 600 | 4,649,380 | 135 | 253 | 15,686 | 323 | 29,534 | 1,831,108 | 211 | 45,203 | 2,802,586 |
| South Carolina | 1,173 | 3,795,470 | 198 | 391 | 13,685 | 543 | 52,816 | 1,848,560 | 437 | 55,235 | 1,933,225 |
| Virginia: | | | | | | | | | | | |
| Eastern | 1,930 | 6,691,999 | 277 | 649 | 40,792 | 926 | 46,107 | 2,895,520 | 658 | 59,804 | 3,755,687 |
| Western | 418 | 2,079,565 | 194 | 1,103 | 48,207 | 219 | 29,265 | 962,419 | 184 | 23,822 | 1,068,939 |
| West Virginia: | | | | | | | | | | | |
| Northern | 201 | 871,395 | 19 | 34 | 1,462 | 86 | 9,818 | 422,174 | 87 | 10,413 | 447,759 |
| Southern | 542 | 1,159,700 | 109 | 182 | 9,100 | 190 | 10,846 | 542,300 | 135 | 12,166 | 608,300 |
| Fifth Circuit | 11,424 | 42,498,515 | 6,591 | 12,208 | 606,611 | 7,007 | 463,716 | 22,547,666 | 4,552 | 402,031 | 19,344,238 |
| Louisiana: | | | | | | | | | | | |
| Eastern | 472 | 2,420,088 | 120 | 294 | 13,495 | 278 | 26,014 | 1,161,338 | 213 | 27,811 | 1,245,255 |
| Middle | 125 | 403,967 | 22 | 60 | 3,470 | 46 | 2,997 | 173,227 | 40 | 3,932 | 227,270 |
| Western | 266 | 856,950 | 73 | 138 | 4,002 | 117 | 15,702 | 455,358 | 84 | 13,710 | 397,590 |
| Mississippi: | | | | | | | | | | | |
| Northern | 184 | 493,515 | 45 | 111 | 4,995 | 85 | 5,246 | 236,070 | 67 | 5,610 | 252,450 |
| Southern | 304 | 446,000 | 127 | 237 | 4,740 | 148 | 11,755 | 235,100 | 106 | 10,308 | 206,160 |
| Texas: | | | | | | | | | | | |
| Northern | 1,703 | 5,941,420 | 754 | 1,325 | 77,818 | 1,057 | 52,434 | 3,067,652 | 493 | 47,792 | 2,795,950 |
| Eastern | 719 | 3,131,375 | 194 | 451 | 18,491 | 391 | 28,831 | 1,182,071 | 373 | 47,093 | 1,930,813 |
| Southern | 3,869 | 11,632,750 | 2,686 | 4,396 | 219,800 | 2,058 | 113,551 | 5,677,550 | 1,262 | 114,708 | 5,735,400 |
| Western | 3,782 | 17,172,450 | 2,570 | 5,196 | 259,800 | 2,827 | 207,186 | 10,359,300 | 1,914 | 131,067 | 6,553,350 |
| Sixth Circuit | 5,656 | 18,133,098 | 841 | 1,588 | 73,280 | 2,184 | 206,243 | 9,418,978 | 1,468 | 185,372 | 8,640,840 |
| Kentucky: | | | | | | | | | | | |
| Eastern | 420 | 1,003,135 | 106 | 235 | 8,225 | 198 | 12,557 | 439,495 | 157 | 15,869 | 555,415 |
| Western | 470 | 1,151,503 | 36 | 91 | 5,369 | 134 | 11,478 | 677,202 | 70 | 7,948 | 468,932 |
| Michigan: | | | | | | | | | | | |
| Eastern | 1,510 | 5,361,736 | 197 | 300 | 17,974 | 462 | 45,312 | 2,711,589 | 270 | 43,967 | 2,632,173 |
| Western | 434 | 1,383,360 | 54 | 107 | 5,885 | 197 | 11,647 | 640,585 | 125 | 13,398 | 736,890 |
| Ohio: | | | | | | | | | | | |
| Northern | 852 | 2,795,100 | 111 | 234 | 11,700 | 327 | 30,134 | 1,506,700 | 234 | 25,534 | 1,276,700 |
| Southern | 706 | 1,396,836 | 102 | 218 | 7,848 | 219 | 15,742 | 566,712 | 154 | 22,841 | 822,276 |
| Tennessee: | | | | | | | | | | | |
| Eastern | 451 | 1,933,148 | 124 | 210 | 9,819 | 191 | 18,218 | 847,185 | 190 | 23,142 | 1,076,144 |
| Middle | 293 | 1,150,600 | 39 | 67 | 2,680 | 154 | 19,486 | 779,440 | 82 | 9,212 | 368,480 |
| Western | 520 | 1,957,680 | 72 | 126 | 3,780 | 302 | 41,669 | 1,250,070 | 186 | 23,461 | 703,830 |

See notes at end of table.

Table 5.11

Defendants detained by U.S. District Courts^a

By circuit and district, fiscal year 1998--Continued

| Circuit and district | Number of cases closed | Total detention cost (in dollars) | Before initial hearing | | | After initial hearing | | | Post adjudication | | |
|----------------------|------------------------|-----------------------------------|------------------------|----------------|-------------------|-----------------------|----------------|-------------------|----------------------|----------------|-------------------|
| | | | Number of defendants | Number of days | Cost (in dollars) | Number of defendants | Number of days | Cost (in dollars) | Number of defendants | Number of days | Cost (in dollars) |
| Seventh Circuit | 2,552 | \$15,044,498 | 699 | 1,364 | \$76,320 | 1,350 | 136,149 | \$7,614,253 | 947 | 130,030 | \$7,353,925 |
| Illinois: | | | | | | | | | | | |
| Northern | 694 | 4,955,678 | 149 | 197 | 11,413 | 273 | 45,139 | 2,609,025 | 190 | 40,402 | 2,335,240 |
| Central | 277 | 1,939,620 | 103 | 190 | 11,400 | 162 | 15,493 | 929,580 | 127 | 16,644 | 998,640 |
| Southern | 411 | 2,679,426 | 234 | 477 | 25,758 | 316 | 23,381 | 1,262,574 | 212 | 25,761 | 1,391,094 |
| Indiana: | | | | | | | | | | | |
| Northern | 388 | 2,402,362 | 115 | 241 | 14,219 | 200 | 18,690 | 1,102,710 | 141 | 21,787 | 1,285,433 |
| Southern | 297 | 1,145,262 | 26 | 62 | 2,585 | 139 | 17,026 | 706,614 | 105 | 10,507 | 436,063 |
| Wisconsin: | | | | | | | | | | | |
| Eastern | 321 | 1,467,115 | 34 | 59 | 3,835 | 197 | 11,897 | 773,305 | 104 | 10,615 | 689,975 |
| Western | 164 | 455,035 | 38 | 138 | 7,110 | 63 | 4,523 | 230,445 | 68 | 4,314 | 217,480 |
| Eighth Circuit | 3,773 | 19,376,111 | 962 | 2,086 | 110,364 | 2,044 | 169,078 | 9,654,077 | 1,471 | 161,776 | 9,611,670 |
| Arkansas: | | | | | | | | | | | |
| Eastern | 385 | 770,070 | 40 | 96 | 2,880 | 139 | 13,203 | 396,090 | 103 | 12,370 | 371,100 |
| Western | 165 | 350,070 | 44 | 173 | 5,190 | 66 | 5,343 | 160,290 | 58 | 6,153 | 184,590 |
| Iowa: | | | | | | | | | | | |
| Northern | 210 | 2,111,720 | 53 | 164 | 10,660 | 130 | 20,170 | 1,311,050 | 101 | 12,154 | 790,010 |
| Southern | 262 | 2,002,027 | 58 | 131 | 8,777 | 188 | 13,403 | 898,001 | 160 | 16,347 | 1,095,249 |
| Minnesota: | | | | | | | | | | | |
| Northern | 507 | 2,611,728 | 157 | 308 | 17,248 | 283 | 21,110 | 1,182,160 | 195 | 25,220 | 1,412,320 |
| Missouri: | | | | | | | | | | | |
| Eastern | 674 | 2,155,455 | 82 | 123 | 5,535 | 382 | 25,201 | 1,134,045 | 236 | 22,575 | 1,015,875 |
| Western | 516 | 4,743,900 | 125 | 209 | 20,900 | 230 | 19,447 | 1,944,700 | 184 | 27,783 | 2,778,300 |
| Nebraska: | | | | | | | | | | | |
| Northern | 321 | 3,074,541 | 101 | 245 | 14,989 | 227 | 29,581 | 1,811,251 | 165 | 20,387 | 1,248,301 |
| South Dakota | 235 | 400,200 | 60 | 126 | 6,300 | 95 | 3,986 | 199,300 | 61 | 3,892 | 194,600 |
| South Dakota | 498 | 1,156,400 | 242 | 511 | 17,885 | 304 | 17,634 | 617,190 | 208 | 14,895 | 521,325 |
| Ninth Circuit | 17,171 | 94,099,259 | 10,145 | 21,017 | 1,410,127 | 11,994 | 926,010 | 53,978,144 | 6,218 | 627,662 | 38,710,988 |
| Alaska: | | | | | | | | | | | |
| Northern | 305 | 1,619,428 | 109 | 184 | 19,642 | 129 | 7,159 | 762,867 | 89 | 7,854 | 836,919 |
| Arizona: | | | | | | | | | | | |
| Northern | 4,555 | 19,790,970 | 3,437 | 5,277 | 300,789 | 3,214 | 202,258 | 11,528,706 | 1,844 | 139,675 | 7,961,475 |
| California: | | | | | | | | | | | |
| Northern | 965 | 8,228,775 | 190 | 497 | 41,730 | 596 | 69,819 | 4,766,785 | 283 | 50,815 | 3,420,260 |
| Eastern | 954 | 6,306,750 | 528 | 1,020 | 51,000 | 808 | 94,337 | 4,716,850 | 265 | 30,778 | 1,538,900 |
| Central | 2,162 | 11,780,312 | 938 | 1,667 | 91,685 | 1,248 | 117,300 | 6,412,917 | 705 | 95,922 | 5,275,710 |
| Southern | 4,215 | 23,936,098 | 3,731 | 8,216 | 500,560 | 3,807 | 262,881 | 14,815,971 | 1,673 | 148,325 | 8,619,567 |
| Hawaii: | | | | | | | | | | | |
| Northern | 316 | 4,508,787 | 129 | 231 | 22,900 | 215 | 15,223 | 1,509,971 | 159 | 30,180 | 2,975,916 |
| Idaho: | | | | | | | | | | | |
| Northern | 183 | 513,072 | 57 | 97 | 4,074 | 99 | 6,644 | 279,048 | 60 | 5,475 | 229,950 |
| Montana: | | | | | | | | | | | |
| Northern | 367 | 1,264,271 | 119 | 277 | 12,095 | 173 | 17,996 | 783,200 | 113 | 10,776 | 468,976 |
| Nevada: | | | | | | | | | | | |
| Northern | 877 | 5,040,786 | 342 | 556 | 34,472 | 371 | 42,237 | 2,618,694 | 298 | 38,510 | 2,387,620 |
| Oregon: | | | | | | | | | | | |
| Northern | 850 | 4,926,000 | 227 | 416 | 24,960 | 642 | 55,696 | 3,341,760 | 297 | 25,988 | 1,559,280 |
| Washington: | | | | | | | | | | | |
| Eastern | 246 | 1,080,300 | 89 | 253 | 15,180 | 196 | 10,754 | 645,240 | 93 | 6,998 | 419,880 |
| Western | 824 | 2,311,122 | 59 | 110 | 6,501 | 329 | 17,068 | 1,010,620 | 230 | 21,916 | 1,294,001 |
| Guam: | | | | | | | | | | | |
| Northern | 315 | 2,644,954 | 171 | 2,150 | 278,929 | 143 | 5,687 | 728,741 | 99 | 13,203 | 1,637,284 |
| Northern Marianas: | | | | | | | | | | | |
| Northern | 37 | 147,634 | 19 | 66 | 5,610 | 24 | 951 | 56,774 | 10 | 1,247 | 85,250 |
| Tenth Circuit | 4,416 | 23,222,142 | 1,704 | 3,851 | 234,881 | 2,575 | 254,646 | 13,970,219 | 1,604 | 156,669 | 9,017,042 |
| Colorado: | | | | | | | | | | | |
| Northern | 498 | 2,198,508 | 186 | 341 | 17,732 | 315 | 26,815 | 1,394,380 | 155 | 15,123 | 786,396 |
| Kansas: | | | | | | | | | | | |
| Northern | 629 | 2,927,898 | 190 | 452 | 26,216 | 297 | 25,981 | 1,506,898 | 227 | 24,048 | 1,394,784 |
| New Mexico: | | | | | | | | | | | |
| Northern | 1,423 | 9,976,144 | 969 | 2,264 | 153,952 | 1,023 | 79,740 | 5,422,320 | 589 | 64,704 | 4,399,872 |
| Oklahoma: | | | | | | | | | | | |
| Northern | 328 | 677,840 | 24 | 41 | 1,640 | 173 | 7,702 | 308,080 | 92 | 9,203 | 368,120 |
| Eastern | 107 | 277,868 | 53 | 119 | 4,879 | 49 | 2,605 | 106,649 | 34 | 4,063 | 166,340 |
| Western | 731 | 3,741,984 | 117 | 248 | 11,162 | 228 | 68,305 | 3,056,992 | 147 | 14,974 | 673,830 |
| Utah: | | | | | | | | | | | |
| Northern | 514 | 2,717,300 | 101 | 184 | 9,200 | 385 | 35,790 | 1,789,500 | 281 | 18,372 | 918,600 |
| Wyoming: | | | | | | | | | | | |
| Northern | 186 | 704,600 | 64 | 202 | 10,100 | 105 | 7,708 | 385,400 | 79 | 6,182 | 309,100 |
| Eleventh Circuit | 7,442 | 29,893,670 | 2,484 | 4,197 | 185,886 | 4,028 | 339,459 | 14,948,962 | 3,131 | 338,972 | 14,758,822 |
| Alabama: | | | | | | | | | | | |
| Northern | 405 | 797,900 | 50 | 96 | 4,800 | 145 | 8,623 | 431,150 | 88 | 7,239 | 361,950 |
| Middle | 224 | 743,149 | 50 | 66 | 3,300 | 86 | 8,533 | 414,149 | 63 | 6,514 | 325,700 |
| Southern | 453 | 1,571,584 | 140 | 228 | 7,296 | 292 | 16,101 | 515,232 | 222 | 32,783 | 1,049,056 |
| Florida: | | | | | | | | | | | |
| Northern | 457 | 1,840,693 | 100 | 189 | 7,045 | 291 | 19,191 | 717,745 | 252 | 29,837 | 1,115,903 |
| Middle | 1,886 | 7,732,518 | 418 | 632 | 27,176 | 1,229 | 90,212 | 3,879,116 | 941 | 88,982 | 3,826,226 |
| Southern | 2,214 | 13,403,697 | 1,127 | 1,983 | 102,830 | 1,293 | 132,290 | 6,847,372 | 1,069 | 124,681 | 6,453,495 |
| Georgia: | | | | | | | | | | | |
| Northern | 788 | 2,058,309 | 298 | 468 | 15,444 | 401 | 37,750 | 1,245,750 | 216 | 24,155 | 797,115 |
| Middle | 641 | 929,730 | 182 | 340 | 11,560 | 140 | 15,401 | 523,634 | 105 | 11,604 | 394,536 |
| Southern | 374 | 816,090 | 119 | 195 | 6,435 | 151 | 11,358 | 374,814 | 175 | 13,177 | 434,841 |

Note: In previous editions of SOURCEBOOK, these data were reported for the year ending March 31. Therefore the above data are not directly comparable to earlier years.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 316-318.

^aExcludes the District of Columbia and includes transfers.

Table 5.12

Federal defendants released or detained prior to trial in U.S. District Courts

By offense, United States, fiscal year 1996

| Most serious offense charged | Number of defendants | | | Percent of defendants released at any time before case disposition | | | | | Percent of defendants detained at any time before case disposition | | | | | |
|--|----------------------|----------|----------|--|------------------------|----------------|-----------------------|---------------------|--|----------------------------------|-------------------------|------------------------|-------------|------------------|
| | | | | Released on | | | | | Held on bail for | | | | | |
| | Total | Released | Detained | All releases | Financial ^a | Unsecured bond | Personal recognizance | Conditional release | All detentions | Temporary detention ^b | Part of pretrial period | All of pretrial period | Denied bail | Other detentions |
| All offenses ^c | 51,063 | 26,801 | 31,895 | 52.5% | 17.2% | 49.1% | 30.6% | 3.0% | 62.5% | 2.9% | 20.5% | 13.7% | 53.2% | 9.7% |
| Violent offenses | 3,152 | 1,197 | 2,463 | 38.0 | 11.1 | 40.3 | 43.2 | 5.4 | 78.1 | 1.3 | 16.3 | 4.5 | 63.7 | 14.3 |
| Murder, nonnegligent manslaughter | 179 | 74 | 146 | 41.3 | 13.5 | 24.3 | 55.4 | 6.8 | 81.6 | X | 19.9 | 0.7 | 69.2 | 10.3 |
| Negligent manslaughter | 11 | 11 | 1 | 100.0 | X | 36.4 | 63.6 | X | 9.1 | B | B | B | B | B |
| Assault | 692 | 445 | 392 | 64.3 | 4.9 | 39.8 | 47.6 | 7.6 | 56.6 | 1.3 | 29.6 | 7.9 | 45.4 | 15.8 |
| Robbery | 1,652 | 332 | 1,513 | 20.1 | 23.2 | 47.9 | 26.8 | 2.1 | 91.6 | 1.2 | 10.3 | 4.8 | 69.7 | 13.9 |
| Rape | 237 | 150 | 146 | 63.3 | 2.7 | 22.0 | 70.0 | 5.3 | 61.6 | 0.7 | 32.2 | X | 55.5 | 11.6 |
| Other sex offenses ^d | 189 | 140 | 84 | 74.1 | 7.9 | 52.9 | 34.3 | 5.0 | 44.4 | X | 33.3 | 1.2 | 42.9 | 22.6 |
| Kidnaping | 151 | 32 | 144 | 21.2 | 25.0 | 37.5 | 34.4 | 3.1 | 95.4 | 4.9 | 12.5 | 0.7 | 68.1 | 13.9 |
| Threats against the President | 41 | 13 | 37 | 31.7 | 7.7 | 38.5 | 30.8 | 23.1 | 90.2 | X | 18.9 | 8.1 | 54.1 | 18.9 |
| Property offenses | 12,640 | 10,214 | 3,791 | 80.8 | 9.7 | 53.1 | 34.8 | 2.3 | 30.0 | 1.2 | 32.5 | 16.0 | 39.8 | 10.5 |
| Fraudulent offenses | 9,623 | 7,805 | 2,877 | 81.1 | 10.7 | 55.5 | 32.4 | 1.4 | 29.9 | 1.4 | 32.7 | 18.4 | 37.7 | 9.7 |
| Embezzlement | 1,391 | 1,309 | 149 | 94.1 | 3.1 | 52.6 | 43.0 | 1.3 | 10.7 | 0.7 | 40.3 | 10.1 | 32.9 | 16.1 |
| Fraud ^e | 7,164 | 5,681 | 2,287 | 79.3 | 12.0 | 54.9 | 31.7 | 1.4 | 31.9 | 1.7 | 31.0 | 20.6 | 37.4 | 9.3 |
| Forgery | 286 | 236 | 93 | 82.5 | 11.9 | 61.9 | 23.3 | 3.0 | 32.5 | X | 45.2 | 9.7 | 30.1 | 15.1 |
| Counterfeiting | 782 | 579 | 348 | 74.0 | 15.0 | 64.2 | 19.5 | 1.2 | 44.5 | 0.6 | 37.4 | 10.1 | 44.0 | 8.0 |
| Other offenses | 3,017 | 2,409 | 914 | 79.8 | 6.4 | 45.6 | 42.7 | 5.3 | 30.3 | 0.7 | 31.7 | 8.4 | 46.2 | 13.0 |
| Burglary | 140 | 81 | 86 | 57.9 | 7.4 | 38.3 | 43.2 | 11.1 | 61.4 | 2.3 | 27.9 | 5.8 | 47.7 | 16.3 |
| Larceny ^f | 2,196 | 1,900 | 477 | 86.5 | 4.7 | 44.8 | 45.1 | 5.4 | 21.7 | 0.4 | 37.5 | 11.9 | 41.5 | 8.6 |
| Motor vehicle theft | 231 | 110 | 156 | 47.6 | 17.3 | 59.1 | 19.1 | 4.5 | 67.5 | 0.6 | 18.6 | 2.6 | 55.8 | 22.4 |
| Arson and explosives | 181 | 113 | 105 | 62.4 | 20.4 | 58.4 | 19.5 | 1.8 | 58.0 | 1.0 | 31.4 | 3.8 | 52.4 | 11.4 |
| Transportation of stolen property | 155 | 125 | 55 | 80.6 | 12.8 | 56.0 | 28.0 | 3.2 | 35.5 | X | 36.4 | 3.6 | 45.5 | 14.5 |
| Other property offenses ^g | 114 | 80 | 35 | 70.2 | 2.5 | 18.8 | 72.5 | 6.3 | 30.7 | X | 14.3 | 14.3 | 45.7 | 25.7 |
| Drug offenses | 20,017 | 9,130 | 15,292 | 45.6 | 28.7 | 48.7 | 21.1 | 1.5 | 76.4 | 2.5 | 24.2 | 9.0 | 56.5 | 7.8 |
| Trafficking | 17,628 | 7,747 | 13,847 | 43.9 | 30.6 | 49.7 | 18.3 | 1.4 | 78.6 | 2.2 | 24.2 | 8.9 | 57.0 | 7.7 |
| Other | 2,389 | 1,383 | 1,445 | 57.9 | 17.9 | 43.0 | 36.7 | 2.4 | 60.5 | 5.5 | 24.5 | 9.9 | 51.6 | 8.5 |
| Public-order offenses | 15,081 | 6,132 | 10,292 | 40.7 | 14.0 | 45.4 | 34.7 | 6.0 | 68.2 | 4.4 | 11.7 | 22.1 | 50.6 | 11.2 |
| Regulatory offenses | 1,597 | 1,213 | 536 | 76.0 | 12.1 | 51.4 | 34.4 | 2.1 | 33.6 | 0.9 | 27.4 | 9.5 | 46.6 | 15.5 |
| Agriculture | 142 | 138 | 4 | 97.2 | 0.7 | 60.1 | 38.4 | 0.7 | 2.8 | B | B | B | B | B |
| Antitrust | 20 | 20 | 0 | 100.0 | X | 55.0 | 45.0 | X | X | X | X | X | X | X |
| Food and drug | 41 | 41 | 0 | 100.0 | X | 43.9 | 53.7 | 2.4 | X | X | X | X | X | X |
| Transportation | 61 | 51 | 11 | 83.6 | 3.9 | 52.9 | 37.3 | 5.9 | 18.0 | X | 27.3 | 27.3 | 36.4 | 9.1 |
| Civil rights | 84 | 72 | 21 | 85.7 | 5.6 | 73.6 | 20.8 | X | 25.0 | X | 38.1 | X | 57.1 | 4.8 |
| Communications | 71 | 62 | 15 | 87.3 | 14.5 | 48.4 | 35.5 | 1.6 | 21.1 | X | 40.0 | 6.7 | 13.3 | 40.0 |
| Customs laws | 87 | 66 | 44 | 75.9 | 36.4 | 40.9 | 22.7 | X | 50.6 | X | 52.3 | 13.6 | 34.1 | X |
| Postal laws | 167 | 150 | 23 | 89.8 | 5.3 | 60.7 | 32.7 | 1.3 | 13.8 | X | 21.7 | 8.7 | 56.5 | 13.0 |
| Other regulatory offenses | 924 | 613 | 418 | 66.3 | 16.2 | 46.3 | 34.7 | 2.8 | 45.2 | 1.2 | 24.2 | 8.9 | 48.6 | 17.2 |
| Other offenses | 13,484 | 4,919 | 9,756 | 36.5 | 14.4 | 43.9 | 34.8 | 6.9 | 72.4 | 4.6 | 10.8 | 22.8 | 50.8 | 11.0 |
| Weapons | 2,438 | 1,190 | 1,649 | 48.8 | 16.7 | 54.3 | 26.8 | 2.2 | 67.6 | 2.7 | 20.0 | 6.0 | 55.5 | 15.8 |
| Immigration offenses | 7,190 | 925 | 6,706 | 12.9 | 23.9 | 37.2 | 14.4 | 24.5 | 93.3 | 5.8 | 6.2 | 30.5 | 49.3 | 8.3 |
| Tax law violations including tax fraud | 719 | 683 | 76 | 95.0 | 5.6 | 49.2 | 43.8 | 1.5 | 10.6 | 1.3 | 51.3 | X | 31.6 | 15.8 |
| Bribery | 193 | 171 | 51 | 88.6 | 21.6 | 48.5 | 29.8 | X | 26.4 | 3.9 | 54.9 | 11.8 | 29.4 | X |
| Perjury, contempt, intimidation | 216 | 159 | 88 | 73.6 | 9.4 | 50.3 | 39.6 | 0.6 | 40.7 | 1.1 | 27.3 | 5.7 | 53.4 | 12.5 |
| National defense | 55 | 43 | 16 | 78.2 | 4.7 | 25.6 | 60.5 | 9.3 | 29.1 | X | 12.5 | 6.3 | 75.0 | 6.3 |
| Escape | 601 | 97 | 539 | 16.1 | 21.6 | 51.5 | 21.6 | 5.2 | 89.7 | 1.5 | 6.1 | 4.8 | 58.6 | 28.9 |
| Racketeering and extortion | 745 | 461 | 428 | 61.9 | 29.3 | 49.9 | 19.3 | 1.5 | 57.4 | 0.2 | 24.5 | 5.4 | 58.2 | 11.7 |
| Gambling offenses | 109 | 107 | 9 | 98.2 | 9.3 | 51.4 | 39.3 | X | 8.3 | B | B | B | B | B |
| Liquor offenses | 13 | 13 | 8 | 100.0 | X | 30.8 | 69.2 | X | 61.5 | B | B | B | B | B |
| Mail or transport of obscene material | 37 | 29 | 14 | 78.4 | 10.3 | 62.1 | 27.6 | X | 37.8 | X | 28.6 | 7.1 | 50.0 | 14.3 |
| Migratory birds | 22 | 22 | 0 | 100.0 | X | 31.8 | 68.2 | X | X | X | X | X | X | X |
| All other ^h | 1,146 | 1,019 | 172 | 88.9 | 2.7 | 29.0 | 62.3 | 5.9 | 15.0 | 1.7 | 37.2 | 11.6 | 36.6 | 12.8 |

See notes on next page.

Table 5.12

Federal defendants released or detained prior to trial in U.S. District Courts

By offense, United States, fiscal year 1996--Continued

Note: These data are from the U.S. Department of Justice, Bureau of Justice Statistics' Federal Justice Statistics database. Sources of information include the Executive Office for U.S. Attorneys, the Administrative Office of the United States Courts, the U.S. Sentencing Commission, the Federal Bureau of Prisons, the Federal Judicial Center, and the Pretrial Services Agency (PSA).

Tables presenting pretrial release and detention information were created from the PSA data files. The data describe 51,063 defendants who terminated pretrial services during fiscal year 1996 and whose cases were filed by complaint, indictment, or information. "Released" defendants includes some defendants who also were detained prior to trial; "detained" defendants includes some defendants who also were released prior to trial. Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see Appendix 11.

^aIncludes deposit bond, surety bond, and collateral bond.

^bHeld under Title 18 U.S.C. 3142 pending deportation, action on prior pretrial release, or probation or parole review.

^cIncludes 173 defendants for whom offense category could not be determined, 128 of whom were released, 57 of whom were detained.

^dMay include some nonviolent offenses.

^eExcludes tax fraud.

^fExcludes transportation of stolen property.

^gExcludes fraudulent property offenses; includes destruction of property and trespass.

^hIncludes offenses with unknown or unclassifiable offense type.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), pp. 27, 29. Table adapted by SOURCEBOOK staff.

Table 5.13

Federal pretrial detention hearings and defendants ordered detained in U.S. District Courts

By characteristics, United States, fiscal year 1996

| Defendant characteristics | Number of defendants | Defendants with pretrial detention hearings | | | |
|------------------------------------|----------------------|---|------------------|--|--|
| | | Hearings held | Ordered detained | Percent of defendants with hearings held | Of defendants held, percent ordered detained |
| All defendants ^a | 51,063 | 22,890 | 16,917 | 44.8% | 73.9% |
| <u>Sex</u> | | | | | |
| Male | 42,851 | 20,654 | 15,594 | 48.2 | 75.5 |
| Female | 8,152 | 2,218 | 1,312 | 27.2 | 59.2 |
| <u>Race</u> | | | | | |
| White | 33,639 | 14,253 | 10,632 | 42.4 | 74.6 |
| Black | 14,365 | 7,197 | 5,285 | 50.1 | 73.4 |
| Other | 3,059 | 1,440 | 1,000 | 47.1 | 69.4 |
| <u>Ethnicity</u> | | | | | |
| Hispanic | 17,352 | 9,833 | 7,893 | 56.7 | 80.3 |
| Non-Hispanic | 33,017 | 12,859 | 8,874 | 38.9 | 69.0 |
| <u>Age</u> | | | | | |
| 16 to 18 years | 918 | 446 | 284 | 48.6 | 63.7 |
| 19 to 20 years | 2,372 | 1,111 | 796 | 46.8 | 71.6 |
| 21 to 30 years | 17,749 | 8,857 | 6,510 | 49.9 | 73.5 |
| 31 to 40 years | 14,107 | 6,390 | 4,719 | 45.3 | 73.8 |
| Over 40 years | 11,556 | 3,924 | 2,714 | 34.0 | 69.2 |
| <u>Education</u> | | | | | |
| Less than high school graduate | 15,512 | 8,363 | 6,185 | 53.9 | 74.0 |
| High school graduate | 13,430 | 5,614 | 3,782 | 41.8 | 67.4 |
| Some college | 8,408 | 2,916 | 1,898 | 34.7 | 65.1 |
| College graduate | 3,521 | 825 | 514 | 23.4 | 62.3 |
| <u>Marital status</u> | | | | | |
| Never married | 15,687 | 7,777 | 5,596 | 49.6 | 72.0 |
| Divorced/separated | 7,953 | 3,222 | 2,201 | 40.5 | 68.3 |
| Married | 14,522 | 5,251 | 3,608 | 36.2 | 68.7 |
| Common law | 3,616 | 2,015 | 1,441 | 55.7 | 71.5 |
| Other | 9,285 | 4,625 | 4,071 | 49.8 | 88.0 |
| <u>Employment status at arrest</u> | | | | | |
| Unemployed | 19,157 | 9,856 | 7,272 | 51.4 | 73.8 |
| Employed | 23,700 | 8,773 | 5,834 | 37.0 | 66.5 |
| <u>Criminal record</u> | | | | | |
| No convictions ^b | 18,155 | 6,403 | 4,605 | 35.3 | 71.9 |
| Prior conviction | | | | | |
| Misdemeanor only | 8,118 | 3,195 | 2,052 | 39.4 | 64.2 |
| Felony | | | | | |
| Nonviolent | 10,451 | 5,544 | 4,288 | 53.0 | 77.3 |
| Violent | 7,373 | 4,670 | 3,863 | 63.3 | 82.7 |
| Number of prior convictions | | | | | |
| 1 | 8,216 | 3,723 | 2,629 | 45.3 | 70.6 |
| 2 to 4 | 10,752 | 5,625 | 4,250 | 52.3 | 75.6 |
| 5 or more | 6,974 | 4,061 | 3,324 | 58.2 | 81.9 |

Note: See Note, table 5.12. For methodology and definitions of terms, see Appendix 11.

^aIncludes defendants for whom these characteristics were unknown.^bIncludes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), p. 32. Table adapted by SOURCEBOOK staff.

Table 5.14

Federal defendants released or detained prior to trial in U.S. District Courts

By characteristics, United States, fiscal year 1996

| Defendant characteristics | Number of defendants | Defendants released | | Defendants detained | |
|------------------------------------|----------------------|---------------------|---------|---------------------|---------|
| | | Number | Percent | Number | Percent |
| All defendants ^a | 51,063 | 26,801 | 52.5% | 31,895 | 62.5% |
| <u>Sex</u> | | | | | |
| Male | 42,851 | 20,437 | 47.7 | 28,669 | 66.9 |
| Female | 8,152 | 6,321 | 77.5 | 3,203 | 39.3 |
| <u>Race</u> | | | | | |
| White | 33,639 | 17,287 | 51.4 | 20,959 | 62.3 |
| Black | 14,365 | 7,636 | 53.2 | 9,193 | 64.0 |
| Other | 3,059 | 1,878 | 61.4 | 1,743 | 57.0 |
| <u>Ethnicity</u> | | | | | |
| Hispanic | 17,352 | 4,553 | 26.2 | 15,012 | 86.5 |
| Non-Hispanic | 33,017 | 21,757 | 65.9 | 16,623 | 50.3 |
| <u>Age</u> | | | | | |
| 16 to 18 years | 918 | 509 | 55.4 | 590 | 64.3 |
| 19 to 20 years | 2,372 | 1,235 | 52.1 | 1,580 | 66.6 |
| 21 to 30 years | 17,749 | 8,478 | 47.8 | 12,223 | 68.9 |
| 31 to 40 years | 14,107 | 7,562 | 53.6 | 8,800 | 62.4 |
| Over 40 years | 11,556 | 7,908 | 68.4 | 5,277 | 45.7 |
| <u>Education</u> | | | | | |
| Less than high school graduate | 15,512 | 6,773 | 43.7 | 11,423 | 73.6 |
| High school graduate | 13,430 | 8,560 | 63.7 | 7,351 | 54.7 |
| Some college | 8,408 | 5,989 | 71.2 | 3,782 | 45.0 |
| College graduate | 3,521 | 2,871 | 81.5 | 1,093 | 31.0 |
| <u>Marital status</u> | | | | | |
| Never married | 15,687 | 8,240 | 52.5 | 10,259 | 65.4 |
| Divorced/separated | 7,953 | 4,935 | 62.1 | 4,385 | 55.1 |
| Married | 14,522 | 9,509 | 65.5 | 7,207 | 49.6 |
| Common law | 3,616 | 1,693 | 46.8 | 2,628 | 72.7 |
| Other | 9,285 | 2,424 | 26.1 | 7,416 | 79.9 |
| <u>Employment status at arrest</u> | | | | | |
| Unemployed | 19,157 | 9,098 | 47.5 | 13,331 | 69.6 |
| Employed | 23,700 | 15,952 | 67.3 | 11,702 | 49.4 |
| <u>Criminal record</u> | | | | | |
| No convictions ^b | 18,155 | 11,523 | 63.5 | 8,992 | 49.5 |
| Prior conviction | | | | | |
| Misdemeanor only | 8,118 | 5,300 | 65.3 | 4,418 | 54.4 |
| Felony | | | | | |
| Nonviolent | 10,451 | 3,992 | 38.2 | 7,913 | 75.7 |
| Violent | 7,373 | 1,915 | 26.0 | 6,369 | 86.4 |
| Number of prior convictions | | | | | |
| 1 | 8,216 | 4,614 | 56.2 | 5,043 | 61.4 |
| 2 to 4 | 10,752 | 4,565 | 42.5 | 7,858 | 73.1 |
| 5 or more | 6,974 | 2,028 | 29.1 | 5,799 | 83.2 |

Note: See Note, table 5.12. "Released" defendants includes some defendants who also were detained prior to trial; "detained" defendants includes some defendants who also were released prior to trial. Total includes defendants for whom release status data were unavailable. For methodology and definitions of terms, see Appendix 11.

^aIncludes defendants for whom these characteristics were unknown.^bIncludes only those defendants whose PSA records explicitly showed no prior convictions.Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), pp. 28, 30. Table adapted by SOURCEBOOK staff.

Table 5.15

Behavior of Federal defendants released prior to trial in U.S. District Courts

By offense and type of release, United States, fiscal year 1996

| Percent of released defendants who had: | | | | | | | | |
|--|-------------------------------|-----------------------------|--------------|------------------|---------------------|--------------|---|-----------------|
| Most serious offense charged and type of release | Number of released defendants | Violations while on release | | | | | | |
| | | No violation | At least one | Failed to appear | New offense charged | | Technical violations of bail conditions | Release revoked |
| | | | | | Felony | Mis-demeanor | | |
| All defendants ^a | 26,801 | 83.7% | 16.3% | 2.4% | 1.8% | 1.5% | 13.3% | 6.2% |
| <u>Offense charged</u> | | | | | | | | |
| Violent offenses | 1,197 | 79.5 | 20.5 | 2.4 | 2.2 | 3.3 | 16.2 | 10.4 |
| Property offenses | 10,214 | 89.7 | 10.3 | 1.8 | 1.4 | 1.0 | 7.9 | 3.5 |
| Fraudulent offenses | 7,805 | 90.6 | 9.4 | 1.6 | 1.4 | 0.9 | 7.2 | 3.1 |
| Other offenses | 2,409 | 86.5 | 13.5 | 2.5 | 1.2 | 1.2 | 10.4 | 4.9 |
| Drug offenses | 9,130 | 74.0 | 26.0 | 3.4 | 2.6 | 2.1 | 21.9 | 10.3 |
| Public-order offenses | 6,132 | 88.8 | 11.2 | 1.9 | 1.2 | 1.0 | 9.1 | 3.8 |
| Regulatory offenses | 1,213 | 92.6 | 7.4 | 1.2 | 0.7 | 0.5 | 6.3 | 1.4 |
| Other offenses | 4,919 | 87.9 | 12.1 | 2.1 | 1.4 | 1.1 | 9.8 | 4.5 |
| <u>Type of release</u> | | | | | | | | |
| Financial release | 4,609 | 79.9 | 20.1 | 3.4 | 3.0 | 1.5 | 15.9 | 7.5 |
| Unsecured bond | 8,212 | 85.2 | 14.8 | 2.0 | 1.2 | 1.3 | 12.5 | 5.2 |
| Personal recognizance | 13,170 | 83.5 | 16.5 | 2.3 | 1.8 | 1.5 | 13.4 | 6.5 |
| Conditional release | 810 | 92.7 | 7.3 | 1.6 | 0.5 | 1.1 | 5.7 | 3.8 |

Note: See Note, table 5.12. Data describe defendants whose pretrial services were terminated in fiscal year 1996. A defendant with more than one type of violation appears in more than one column. A defendant with more than one of the same type of violation appears only once in that column. Therefore, the sum of individual violations exceeds the total. Not all violations resulted in revocation. For methodology and definitions of terms, see Appendix 11.

^aIncludes 128 defendants for whom offense category could not be determined.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), p. 33, Tables 2.7 and 2.8. Table adapted by SOURCEBOOK staff.

Table 5.16

Disposition of cases terminated in U.S. District Courts

By offense, United States, fiscal year 1996

| Most serious offense charged | Total defendants | Percent of all defendants convicted | Number of defendants in cases terminated during 1996 who were: | | | | | | | | | |
|--|------------------|-------------------------------------|--|-------------|-----------------|-------|----------|---------------|-----------|-------------------|----------|--|
| | | | Convicted | | | | | Not convicted | | | | |
| | | | Total | Guilty plea | Nolo contendere | Trial | | Total | Dismissed | Trial | | |
| | | | | | | Jury | Non-jury | | | Jury ^a | Non-jury | |
| All offenses | 61,434 | 86.4% | 53,076 | 48,694 | 278 | 3,623 | 481 | 8,358 | 7,377 | 643 | 338 | |
| Felonies | 49,283 | 89.0 | 43,883 | 40,121 | 50 | 3,585 | 127 | 5,400 | 4,689 | 619 | 92 | |
| Violent offenses | 3,091 | 88.1 | 2,722 | 2,382 | 7 | 309 | 24 | 369 | 284 | 77 | 8 | |
| Murder, nonnegligent manslaughter | 412 | 81.1 | 334 | 255 | 1 | 69 | 9 | 78 | 55 | 22 | 1 | |
| Negligent manslaughter | 3 | B | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Assault | 398 | 78.4 | 312 | 270 | 0 | 42 | 0 | 86 | 68 | 17 | 1 | |
| Robbery | 1,630 | 93.5 | 1,524 | 1,380 | 4 | 134 | 6 | 106 | 91 | 13 | 2 | |
| Rape | 260 | 80.8 | 210 | 181 | 1 | 21 | 7 | 50 | 30 | 16 | 4 | |
| Other sex offenses ^b | 202 | 94.6 | 191 | 173 | 1 | 16 | 1 | 11 | 9 | 2 | 0 | |
| Kidnaping | 152 | 80.3 | 122 | 95 | 0 | 26 | 1 | 30 | 25 | 5 | 0 | |
| Threats against the President | 34 | 76.5 | 26 | 25 | 0 | 1 | 0 | 8 | 6 | 2 | 0 | |
| Property offenses | 12,816 | 89.5 | 11,476 | 10,695 | 22 | 737 | 22 | 1,340 | 1,154 | 152 | 34 | |
| Fraudulent offenses | 10,260 | 89.6 | 9,189 | 8,606 | 19 | 547 | 17 | 1,071 | 921 | 123 | 27 | |
| Embezzlement | 1,095 | 91.1 | 997 | 940 | 4 | 53 | 0 | 98 | 86 | 10 | 2 | |
| Fraud ^c | 7,969 | 88.9 | 7,085 | 6,599 | 14 | 456 | 16 | 884 | 759 | 102 | 23 | |
| Forgery | 226 | 91.2 | 206 | 199 | 0 | 7 | 0 | 20 | 18 | 2 | 0 | |
| Counterfeiting | 970 | 92.9 | 901 | 868 | 1 | 31 | 1 | 69 | 58 | 9 | 2 | |
| Other offenses | 2,556 | 89.5 | 2,287 | 2,089 | 3 | 190 | 5 | 269 | 233 | 29 | 7 | |
| Burglary | 82 | 90.2 | 74 | 70 | 0 | 4 | 0 | 8 | 7 | 1 | 0 | |
| Larceny ^d | 1,540 | 90.3 | 1,390 | 1,331 | 3 | 54 | 2 | 150 | 131 | 15 | 4 | |
| Motor vehicle theft | 153 | 86.3 | 132 | 118 | 0 | 14 | 0 | 21 | 20 | 1 | 0 | |
| Arson and explosives | 289 | 89.6 | 259 | 193 | 0 | 63 | 3 | 30 | 21 | 9 | 0 | |
| Transportation of stolen property | 448 | 88.2 | 395 | 345 | 0 | 50 | 0 | 53 | 47 | 3 | 3 | |
| Other property offenses ^e | 44 | 84.1 | 37 | 32 | 0 | 5 | 0 | 7 | 7 | 0 | 0 | |
| Drug offenses | 20,305 | 88.3 | 17,932 | 16,252 | 6 | 1,640 | 34 | 2,373 | 2,121 | 230 | 22 | |
| Trafficking | 19,486 | 88.3 | 17,210 | 15,582 | 5 | 1,589 | 34 | 2,276 | 2,036 | 218 | 22 | |
| Possession and other ^f | 819 | 88.2 | 722 | 670 | 1 | 51 | 0 | 97 | 85 | 12 | 0 | |
| Public-order offenses | 13,071 | 89.9 | 11,753 | 10,792 | 15 | 899 | 47 | 1,318 | 1,130 | 160 | 28 | |
| Regulatory offenses | 1,151 | 82.5 | 949 | 881 | 1 | 60 | 7 | 202 | 166 | 33 | 3 | |
| Agriculture | 89 | 76.4 | 68 | 60 | 0 | 6 | 2 | 21 | 18 | 3 | 0 | |
| Antitrust | 50 | 66.0 | 33 | 30 | 0 | 3 | 0 | 17 | 6 | 11 | 0 | |
| Food and drug | 42 | 83.3 | 35 | 34 | 0 | 0 | 1 | 7 | 5 | 2 | 0 | |
| Transportation | 81 | 86.4 | 70 | 59 | 0 | 10 | 1 | 11 | 11 | 0 | 0 | |
| Civil rights | 104 | 65.4 | 68 | 58 | 0 | 9 | 1 | 36 | 24 | 10 | 2 | |
| Communications | 18 | 66.7 | 12 | 12 | 0 | 0 | 0 | 6 | 6 | 0 | 0 | |
| Customs laws | 97 | 84.5 | 82 | 79 | 0 | 3 | 0 | 15 | 13 | 1 | 1 | |
| Postal laws | 41 | 78.0 | 32 | 31 | 1 | 0 | 0 | 9 | 9 | 0 | 0 | |
| Other regulatory offenses | 629 | 87.3 | 549 | 518 | 0 | 29 | 2 | 80 | 74 | 6 | 0 | |
| Other offenses | 11,920 | 90.6 | 10,804 | 9,911 | 14 | 839 | 40 | 1,116 | 964 | 127 | 25 | |
| Weapons | 3,843 | 87.5 | 3,364 | 2,851 | 4 | 488 | 21 | 479 | 402 | 69 | 8 | |
| Immigration offenses | 5,111 | 96.1 | 4,912 | 4,837 | 2 | 64 | 9 | 199 | 196 | 1 | 2 | |
| Tax law violations including tax fraud | 687 | 91.0 | 625 | 567 | 1 | 57 | 0 | 62 | 49 | 11 | 2 | |
| Bribery | 232 | 90.1 | 209 | 186 | 3 | 19 | 1 | 23 | 16 | 4 | 3 | |
| Perjury, contempt, intimidation | 300 | 77.7 | 233 | 180 | 1 | 47 | 5 | 67 | 49 | 14 | 4 | |
| National defense | 57 | 77.2 | 44 | 40 | 0 | 4 | 0 | 13 | 12 | 1 | 0 | |
| Escape | 552 | 79.5 | 439 | 415 | 1 | 23 | 0 | 113 | 107 | 6 | 0 | |
| Racketeering and extortion | 1,016 | 86.7 | 881 | 744 | 2 | 133 | 2 | 135 | 111 | 21 | 3 | |
| Gambling offenses | 38 | 73.7 | 28 | 27 | 0 | 1 | 0 | 10 | 10 | 0 | 0 | |
| Mail or transport of obscene material | 17 | 82.4 | 14 | 14 | 0 | 0 | 0 | 3 | 3 | 0 | 0 | |
| Migratory birds | 18 | 83.3 | 15 | 14 | 0 | 1 | 0 | 3 | 3 | 0 | 0 | |
| Other felonies ^g | 49 | 81.6 | 40 | 36 | 0 | 2 | 2 | 9 | 6 | 0 | 3 | |
| Misdemeanors ^h | 12,115 | 75.6 | 9,164 | 8,545 | 228 | 38 | 353 | 2,951 | 2,682 | 24 | 245 | |

Note: See Note, table 5.12. These data are from the Administrative Office of U.S. Courts master data files. Only records with cases that terminated during fiscal year 1996 were selected. For methodology and definitions of terms, see Appendix 11.

^aIncludes mistrials.

^bMay include some nonviolent offenses.

^cExcludes tax fraud.

^dExcludes transportation of stolen property.

^eExcludes fraudulent property offenses; includes destruction of property and trespass.

^fIncludes drug misdemeanors.

^gIncludes felonies with unknown or unclassifiable offense type.

^hIncludes misdemeanors, petty offenses, and unknown offense level.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), p. 42.

Table 5.17

Federal defendants convicted in U.S. District CourtsBy offense and characteristics, United States, fiscal year 1996^a

| | | Percent of defendants convicted of: | | | | | | | |
|--------------------------------------|----------------------------|-------------------------------------|------------------|-------------------|-------|---------------|-----------------------|-------|---------------|
| Defendant characteristics | Total number of defendants | All offenses ^b | Violent offenses | Felonies | | | | | Mis-demeanors |
| | | | | Property offenses | | Drug offenses | Public-order offenses | | |
| | | | | Fraudulent | Other | | Regulatory | Other | |
| All offenders ^c | 53,076 | 100% | 5.1% | 17.3% | 4.3% | 33.8% | 1.8% | 20.4% | 17.3% |
| <u>Sex</u> | | | | | | | | | |
| Male | 37,747 | 84.3 | 93.3 | 73.4 | 77.8 | 87.5 | 75.6 | 93.0 | 74.5 |
| Female | 7,011 | 15.7 | 6.7 | 26.6 | 22.2 | 12.5 | 24.4 | 7.0 | 25.5 |
| <u>Race</u> | | | | | | | | | |
| White | 28,508 | 65.0 | 50.1 | 66.7 | 63.9 | 60.1 | 75.0 | 73.6 | 68.1 |
| Black | 13,157 | 30.0 | 33.0 | 27.0 | 27.3 | 37.9 | 18.8 | 22.7 | 24.3 |
| Other | 2,181 | 5.0 | 16.9 | 6.3 | 8.8 | 2.0 | 6.3 | 3.7 | 7.6 |
| <u>Ethnicity</u> | | | | | | | | | |
| Hispanic | 13,951 | 31.3 | 9.0 | 12.0 | 8.9 | 37.6 | 30.9 | 48.3 | 28.5 |
| Non-Hispanic | 30,689 | 68.7 | 91.0 | 88.0 | 91.1 | 62.4 | 69.1 | 51.7 | 71.5 |
| <u>Age</u> | | | | | | | | | |
| 16 to 18 years | 314 | 0.7 | 2.8 | 0.2 | 0.8 | 0.5 | 0.4 | 0.5 | 2.2 |
| 19 to 20 years | 1,770 | 4.0 | 6.8 | 1.4 | 4.6 | 4.2 | 3.6 | 3.7 | 7.9 |
| 21 to 30 years | 16,312 | 37.1 | 37.1 | 27.0 | 31.3 | 41.5 | 28.8 | 40.2 | 37.5 |
| 31 to 40 years | 13,814 | 31.4 | 31.9 | 31.8 | 31.9 | 32.1 | 29.1 | 31.9 | 26.4 |
| Over 40 years | 11,749 | 26.7 | 21.4 | 39.6 | 31.4 | 21.6 | 38.2 | 23.8 | 26.0 |
| <u>Citizenship</u> | | | | | | | | | |
| U.S. citizen | 32,009 | 72.1 | 93.7 | 84.1 | 91.7 | 71.9 | 74.9 | 52.4 | 71.9 |
| Not U.S. citizen | 12,407 | 27.9 | 6.3 | 15.9 | 8.3 | 28.1 | 25.1 | 47.6 | 28.1 |
| <u>Education</u> | | | | | | | | | |
| Less than high school graduate | 17,166 | 40.5 | 38.4 | 20.4 | 27.3 | 47.3 | 29.8 | 54.5 | 31.7 |
| High school graduate | 12,600 | 29.7 | 35.8 | 29.3 | 34.7 | 30.5 | 30.1 | 24.2 | 34.0 |
| Some college | 9,295 | 21.9 | 20.5 | 33.3 | 27.7 | 18.7 | 25.9 | 14.9 | 24.3 |
| College graduate | 3,363 | 7.9 | 5.4 | 17.0 | 10.3 | 3.5 | 14.2 | 6.3 | 10.1 |
| <u>Criminal record</u> | | | | | | | | | |
| No convictions | 20,748 | 47.3 | 32.5 | 61.4 | 50.3 | 44.9 | 72.0 | 31.5 | 65.4 |
| Prior adult convictions ^d | 23,151 | 52.7 | 67.5 | 38.6 | 49.7 | 55.1 | 28.0 | 68.5 | 34.6 |

Note: See Note, table 5.12. These data were created by matching the Administrative Office of the U.S. Courts master data files with the U.S. Sentencing Commission monitoring system files (which are limited to defendants sentenced under the Federal sentencing guidelines), and the Pretrial Services Agency data files. Offenders were classified by the most serious offense charged. For methodology and definitions of terms, see Appendix 11.

^cIncludes offenders for whom these characteristics could not be determined.

^dFor some defendants, prior adult convictions are limited to those used in calculating guideline sentences (see Source, p. 46).

^aPercents may not add to 100 because of rounding.

^bIncludes defendants for whom offense category could not be determined.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), p. 45.

Table 5.18

Sentences imposed in cases terminated in U.S. District Courts

By offense, United States, fiscal year 1996

| Most serious conviction offense | Total offenders sentenced ^a | Percent of offenders convicted and sentenced to: | | | | | Sentence length (in months) | | | |
|--|--|--|------------------------|--------------------------------------|-----------|--|-----------------------------|--------|-----------|--------|
| | | Incarceration ^b | Probation ^c | Split or mixed sentence ^d | Fine only | | Incarceration ^e | | Probation | |
| | | | | | | | Mean | Median | Mean | Median |
| All offenses | 53,076 | 68.5% | 23.8% | 1.6% | 6.5% | | 61.2 | 33.0 | 33.1 | 36.0 |
| Felonies | 42,992 | 79.9 | 18.3 | 1.7 | 0.6 | | 64.2 | 36.0 | 39.1 | 36.0 |
| Violent offenses | 2,660 | 90.9 | 9.3 | 1.5 | 0.3 | | 92.5 | 60.0 | 43.4 | 36.0 |
| Murder, nonnegligent manslaughter | 264 | 87.5 | 12.1 | 1.1 | 0.8 | | 97.7 | 60.0 | 50.3 | 36.0 |
| Negligent manslaughter | 2 | B | B | B | B | | B | B | X | X |
| Assault | 292 | 75.3 | 23.3 | 1.7 | 0.3 | | 32.1 | 26.0 | 38.1 | 36.0 |
| Robbery | 1,578 | 96.0 | 4.6 | 1.5 | 0.1 | | 104.6 | 66.0 | 43.9 | 36.0 |
| Rape | 201 | 87.1 | 13.4 | 1.5 | 0.5 | | 72.5 | 46.0 | 47.7 | 54.0 |
| Other sex offenses ^f | 189 | 79.9 | 20.1 | 1.6 | 0.5 | | 39.4 | 18.0 | 41.9 | 36.0 |
| Kidnaping | 107 | 94.4 | 6.5 | 0.9 | 0.0 | | 172.1 | 84.0 | B | B |
| Threats against the President | 27 | 88.9 | 14.8 | 3.7 | 0.0 | | 35.8 | 18.0 | B | B |
| Property offenses | 11,125 | 59.0 | 38.1 | 1.8 | 1.0 | | 23.9 | 15.0 | 39.6 | 36.0 |
| Fraudulent offenses | 9,055 | 58.8 | 37.7 | 2.0 | 1.1 | | 20.9 | 13.0 | 39.8 | 36.0 |
| Embezzlement | 920 | 55.7 | 35.5 | 2.5 | 1.6 | | 16.0 | 10.0 | 40.7 | 36.0 |
| Fraud ^g | 7,123 | 59.0 | 38.1 | 2.0 | 1.1 | | 22.0 | 15.0 | 39.9 | 36.0 |
| Forgery | 202 | 55.9 | 42.1 | 1.0 | 0.5 | | 14.8 | 10.0 | 38.8 | 36.0 |
| Counterfeiting | 810 | 60.6 | 36.0 | 1.0 | 0.7 | | 18.3 | 14.0 | 38.2 | 36.0 |
| Other offenses | 2,070 | 59.8 | 39.8 | 1.3 | 0.3 | | 36.9 | 18.0 | 39.2 | 36.0 |
| Burglary | 68 | 85.3 | 16.2 | 1.5 | 0.0 | | 26.0 | 18.0 | 30.5 | 36.0 |
| Larceny ^h | 1,311 | 48.2 | 51.3 | 1.4 | 0.4 | | 25.8 | 12.0 | 38.9 | 36.0 |
| Motor vehicle theft | 121 | 77.7 | 19.8 | 0.0 | 0.0 | | 37.2 | 18.0 | 38.5 | 36.0 |
| Arson and explosives | 216 | 86.6 | 12.5 | 1.4 | 0.5 | | 91.3 | 58.0 | 38.4 | 24.0 |
| Transportation of stolen property | 329 | 77.2 | 23.7 | 1.5 | 0.3 | | 30.1 | 24.0 | 44.6 | 36.0 |
| Other property offenses ⁱ | 25 | 48.0 | 48.0 | 0.0 | 0.0 | | 16.7 | 11.0 | 33.5 | 36.0 |
| Drug offenses | 17,365 | 92.0 | 7.2 | 1.3 | 0.2 | | 84.5 | 60.0 | 44.2 | 36.0 |
| Trafficking | 16,485 | 92.5 | 6.7 | 1.4 | 0.2 | | 84.9 | 60.0 | 45.2 | 36.0 |
| Possession and other ^j | 880 | 83.6 | 14.8 | 0.8 | 0.5 | | 76.9 | 57.0 | 35.9 | 36.0 |
| Public-order offenses | 11,842 | 79.2 | 17.9 | 2.0 | 0.9 | | 50.8 | 24.0 | 34.6 | 36.0 |
| Regulatory offenses | 1,169 | 46.2 | 47.4 | 1.0 | 4.4 | | 26.4 | 16.0 | 34.7 | 36.0 |
| Agriculture | 36 | 36.1 | 63.9 | 5.6 | 5.6 | | 15.4 | 12.0 | 27.9 | 24.0 |
| Antitrust | 33 | 6.1 | 42.4 | 0.0 | 45.5 | | B | B | 32.6 | 36.0 |
| Food and drug | 39 | 23.1 | 71.8 | 0.0 | 5.1 | | B | B | 27.4 | 24.0 |
| Transportation | 67 | 37.3 | 50.7 | 3.0 | 13.4 | | 33.7 | 18.0 | 36.4 | 36.0 |
| Civil rights | 67 | 92.5 | 9.0 | 3.0 | 1.5 | | 43.5 | 33.0 | B | B |
| Communications | 11 | 18.2 | 81.8 | 0.0 | 0.0 | | B | B | B | B |
| Customs laws | 82 | 42.7 | 41.5 | 1.2 | 11.0 | | 19.4 | 18.0 | 40.0 | 36.0 |
| Postal laws | 33 | 12.1 | 87.9 | 0.0 | 0.0 | | B | B | 27.1 | 24.0 |
| Other regulatory offenses | 801 | 48.4 | 47.1 | 0.6 | 1.6 | | 24.8 | 15.0 | 35.9 | 36.0 |
| Other offenses | 10,673 | 82.9 | 14.7 | 2.1 | 0.5 | | 52.2 | 24.0 | 34.5 | 36.0 |
| Weapons | 3,033 | 91.4 | 9.0 | 1.5 | 0.1 | | 99.8 | 60.0 | 40.4 | 36.0 |
| Immigration offenses | 4,929 | 84.9 | 10.4 | 2.8 | 0.2 | | 22.9 | 24.0 | 30.2 | 36.0 |
| Tax law violations including tax fraud | 655 | 47.5 | 55.1 | 3.5 | 0.9 | | 31.9 | 15.0 | 37.4 | 36.0 |
| Bribery | 199 | 52.3 | 39.2 | 0.0 | 5.5 | | 22.4 | 15.0 | 35.2 | 36.0 |
| Perjury, contempt, intimidation | 212 | 69.8 | 29.2 | 1.4 | 0.9 | | 38.5 | 20.0 | 28.0 | 24.0 |
| National defense | 34 | 38.2 | 29.4 | 0.0 | 32.4 | | 74.1 | 30.0 | B | B |
| Escape | 472 | 92.2 | 7.4 | 1.3 | 0.2 | | 21.1 | 15.0 | 31.4 | 36.0 |
| Racketeering and extortion | 1,033 | 80.0 | 18.1 | 1.2 | 0.7 | | 73.9 | 48.0 | 35.1 | 36.0 |
| Gambling offenses | 30 | 33.3 | 60.0 | 0.0 | 6.7 | | B | B | 25.3 | 24.0 |
| Mail or transport of obscene material | 17 | 64.7 | 23.5 | 0.0 | 11.8 | | 30.5 | 30.0 | B | B |
| Migratory birds | 11 | 0.0 | 100.0 | 0.0 | 0.0 | | X | X | 29.5 | 24.0 |
| Other felonies ^k | 48 | 60.4 | 33.3 | 4.2 | 0.0 | | 25.3 | 18.0 | 34.1 | 36.0 |
| Misdemeanors ^l | 10,054 | 20.1 | 47.5 | 1.4 | 31.5 | | 11.0 | 3.0 | 23.3 | 12.0 |

Note: See Notes, tables 5.12 and 5.16. Total exceeds sum of individual sanctions because split and mixed sentences are counted in both prison and probation. Total includes defendants for whom offense category or sentence could not be determined. For methodology and definitions of terms, see Appendix 11.

^aIncludes offenders receiving incarceration, probation, split or mixed sentences, and fines. Not represented in the percentage columns, but also included in the totals, are offenders receiving deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentences.

^bAll sentences to incarceration, including split, mixed, life, and indeterminate sentences.

^cIncludes offenders with split and mixed sentences.

^dSentences to probation combined with incarceration.

^eExcludes life, death, and indeterminate sentences. These excluded cases represent 1% of all incarcerations.

^fMay include some nonviolent offenses.

^gExcludes tax fraud.

^hExcludes transportation of stolen property.

ⁱExcludes fraudulent property offenses; includes destruction of property and trespass.

^jIncludes drug misdemeanors.

^kIncludes felonies with unknown or unclassifiable offense type.

^lIncludes misdemeanors, petty offenses, and unknown offense level.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), pp. 51, 52. Table adapted by SOURCEBOOK staff.

Table 5.19

Federal offenders sentenced to incarceration in U.S. District Courts

By offense and characteristics, United States, fiscal year 1996

| Of all offenders convicted in cases terminated in 1996, the percent who were incarcerated for: | | | | | | | | | |
|--|---------------------------|--------------|------------------|------------|-------|---------------|-----------------------|-------|---------------|
| Offender characteristics | Total number of offenders | All offenses | Violent offenses | Felonies | | Drug offenses | Public-order offenses | | Mis-demeanors |
| | | | | Fraudulent | Other | | Regulatory | Other | |
| All offenders ^a | 53,076 | 68.5% | 90.9% | 58.8% | 59.8% | 92.0% | 46.2% | 82.9% | 20.1% |
| <u>Sex</u> | | | | | | | | | |
| Male | 37,747 | 79.8 | 92.7 | 63.4 | 67.4 | 93.9 | 54.8 | 86.3 | 34.1 |
| Female | 7,011 | 53.1 | 78.3 | 49.0 | 37.6 | 81.1 | 37.8 | 53.9 | 15.4 |
| <u>Race</u> | | | | | | | | | |
| White | 28,508 | 74.3 | 90.0 | 59.8 | 62.5 | 90.7 | 48.9 | 82.8 | 32.2 |
| Black | 13,157 | 80.2 | 96.0 | 60.6 | 56.6 | 95.3 | 57.5 | 88.8 | 20.8 |
| Other | 2,181 | 63.1 | 88.6 | 52.7 | 60.1 | 84.5 | 45.2 | 71.0 | 23.3 |
| <u>Ethnicity</u> | | | | | | | | | |
| Hispanic | 13,951 | 84.9 | 91.7 | 58.9 | 66.5 | 94.7 | 54.2 | 88.6 | 52.0 |
| Non-Hispanic | 30,689 | 71.5 | 91.8 | 59.6 | 60.1 | 90.9 | 48.9 | 79.8 | 20.3 |
| <u>Age</u> | | | | | | | | | |
| 16 to 18 years | 314 | 62.7 | 85.1 | 37.5 | 68.8 | 75.6 | 50.0 | 85.4 | 23.8 |
| 19 to 20 years | 1,770 | 75.2 | 96.3 | 56.2 | 55.2 | 92.6 | 61.1 | 88.5 | 24.3 |
| 21 to 30 years | 16,312 | 80.0 | 92.9 | 57.6 | 54.6 | 93.8 | 58.3 | 89.9 | 30.8 |
| 31 to 40 years | 13,814 | 78.0 | 92.0 | 61.7 | 64.0 | 91.9 | 52.9 | 85.2 | 31.3 |
| Over 40 years | 11,749 | 69.2 | 89.3 | 59.3 | 64.2 | 90.5 | 42.9 | 72.0 | 22.1 |
| <u>Citizenship</u> | | | | | | | | | |
| U.S. citizen | 32,009 | 72.8 | 91.9 | 59.3 | 59.7 | 91.0 | 49.9 | 80.1 | 20.3 |
| Not U.S. citizen | 12,407 | 83.8 | 90.1 | 60.6 | 70.6 | 95.7 | 53.2 | 88.4 | 53.9 |
| <u>Education</u> | | | | | | | | | |
| Less than high school graduate | 17,166 | 84.5 | 94.4 | 59.3 | 66.7 | 94.5 | 57.6 | 88.3 | 42.8 |
| High school graduate | 12,600 | 74.6 | 93.5 | 59.1 | 57.0 | 91.3 | 50.8 | 82.7 | 21.4 |
| Some college | 9,295 | 69.1 | 86.4 | 59.9 | 57.1 | 89.7 | 49.2 | 74.5 | 17.6 |
| College graduate | 3,363 | 60.7 | 81.1 | 59.7 | 65.8 | 87.0 | 40.4 | 62.7 | 15.9 |
| <u>Criminal record</u> | | | | | | | | | |
| No convictions | 20,748 | 63.2 | 82.6 | 50.6 | 47.7 | 89.0 | 45.2 | 62.1 | 22.5 |
| Prior adult conviction ^b | 23,151 | 87.1 | 96.2 | 73.8 | 74.0 | 95.1 | 65.1 | 93.7 | 38.9 |

Note: See Notes, tables 5.12 and 5.17. Data exclude corporations. Offenders are classified by the most serious offense of conviction. Life sentences and indeterminate sentences are included. For methodology and definitions of terms, see Appendix 11.

^aIncludes offenders for whom offense or characteristics were unknown.

^bFor some offenders, prior adult convictions are limited to those used in calculating guideline sentences (see Source, p. 57).

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), p. 54.

Table 5.20

Average and median length of sentences imposed on Federal offenders sentenced to incarceration in U.S. District Courts

By offense and characteristics, United States, fiscal year 1996

(In months)

| Offender characteristics | Average and median sentence length for offenders convicted of: | | | | | | | | | | | | | |
|-------------------------------------|--|--------|------------------|--------|-------------------|--------|---------|--------|---------------|--------|-----------------------|--------|---------|--------|
| | Felonies | | | | | | | | | | | | | |
| | All offenses ^a | | Violent offenses | | Property offenses | | | | Drug offenses | | Public-order offenses | | | |
| | | | | | Fraudulent | | Other | | | | Regulatory | | Other | |
| | Average | Median | Average | Median | Average | Median | Average | Median | Average | Median | Average | Median | Average | Median |
| All offenders ^b | 61.2 | 33.0 | 92.5 | 60.0 | 20.9 | 13.0 | 36.9 | 18.0 | 84.5 | 60.0 | 26.4 | 16.0 | 52.2 | 24.0 |
| <u>Sex</u> | | | | | | | | | | | | | | |
| Male | 65.3 | 37.0 | 95.6 | 60.0 | 21.8 | 15.0 | 38.7 | 18.0 | 87.8 | 60.0 | 27.0 | 16.0 | 53.7 | 24.0 |
| Female | 37.8 | 21.0 | 44.4 | 30.0 | 16.1 | 11.0 | 18.7 | 10.0 | 57.5 | 37.0 | 24.4 | 15.0 | 36.3 | 18.0 |
| <u>Race</u> | | | | | | | | | | | | | | |
| White | 48.9 | 27.0 | 79.3 | 51.0 | 21.2 | 14.0 | 36.1 | 18.0 | 67.4 | 46.0 | 24.8 | 15.0 | 40.7 | 24.0 |
| Black | 91.1 | 60.0 | 118.2 | 75.0 | 19.7 | 12.0 | 36.1 | 15.0 | 110.8 | 81.0 | 30.4 | 21.0 | 92.7 | 60.0 |
| Other | 55.9 | 24.0 | 78.0 | 39.0 | 16.0 | 12.0 | 35.9 | 18.0 | 84.7 | 58.5 | 35.6 | 18.0 | 63.2 | 27.0 |
| <u>Ethnicity</u> | | | | | | | | | | | | | | |
| Hispanic | 48.9 | 27.0 | 100.2 | 58.5 | 19.3 | 10.0 | 34.0 | 17.0 | 70.9 | 48.0 | 20.1 | 12.0 | 27.5 | 24.0 |
| Non-Hispanic | 69.6 | 37.0 | 92.1 | 57.0 | 20.7 | 14.0 | 36.2 | 18.0 | 93.1 | 63.0 | 29.6 | 18.0 | 79.6 | 41.0 |
| <u>Age</u> | | | | | | | | | | | | | | |
| 16 to 18 years | 68.1 | 30.0 | 130.9 | 70.0 | 23.5 | 16.5 | 29.5 | 24.0 | 58.8 | 30.0 | 21.0 | 21.0 | 45.4 | 33.0 |
| 19 to 20 years | 60.4 | 33.0 | 92.3 | 51.0 | 13.8 | 7.0 | 20.9 | 15.0 | 71.9 | 48.0 | 23.3 | 21.0 | 52.3 | 27.0 |
| 21 to 30 years | 66.7 | 37.0 | 103.4 | 57.0 | 16.5 | 12.0 | 30.2 | 16.0 | 87.4 | 60.0 | 20.5 | 15.0 | 52.2 | 24.0 |
| 31 to 40 years | 61.5 | 36.0 | 82.4 | 60.0 | 19.9 | 13.0 | 37.9 | 18.0 | 84.2 | 60.0 | 26.1 | 15.0 | 51.9 | 24.0 |
| Over 40 years | 58.1 | 30.0 | 84.1 | 56.0 | 23.8 | 15.0 | 40.8 | 20.0 | 82.0 | 60.0 | 33.5 | 17.5 | 57.4 | 24.0 |
| <u>Citizenship</u> | | | | | | | | | | | | | | |
| U.S. citizen | 69.7 | 38.0 | 90.1 | 60.0 | 21.2 | 15.0 | 34.3 | 18.0 | 89.5 | 60.0 | 29.0 | 18.0 | 79.0 | 42.0 |
| Not U.S. citizen | 46.2 | 24.0 | 135.6 | 51.0 | 17.0 | 11.5 | 52.2 | 19.5 | 72.4 | 48.0 | 19.8 | 12.0 | 27.5 | 24.0 |
| <u>Education</u> | | | | | | | | | | | | | | |
| Less than high school graduate | 64.9 | 37.0 | 98.2 | 60.0 | 19.6 | 12.0 | 38.2 | 18.0 | 83.8 | 60.0 | 23.1 | 18.0 | 46.3 | 24.0 |
| High school graduate | 69.7 | 41.0 | 92.9 | 60.0 | 18.9 | 12.0 | 31.8 | 15.0 | 88.2 | 60.0 | 22.9 | 15.0 | 73.5 | 37.0 |
| Some college | 59.8 | 32.0 | 86.9 | 53.5 | 20.5 | 14.0 | 34.9 | 21.0 | 81.9 | 60.0 | 33.5 | 18.0 | 71.4 | 30.5 |
| College graduate | 41.3 | 21.0 | 60.0 | 37.0 | 24.8 | 15.0 | 45.4 | 24.0 | 70.6 | 46.0 | 28.4 | 18.0 | 37.7 | 20.5 |
| <u>Criminal record</u> | | | | | | | | | | | | | | |
| No convictions | 47.1 | 27.0 | 65.8 | 37.0 | 18.8 | 12.0 | 38.6 | 18.0 | 65.3 | 46.0 | 24.4 | 15.0 | 33.1 | 12.0 |
| Prior adult conviction ^c | 73.2 | 41.0 | 104.3 | 66.0 | 22.5 | 15.0 | 34.3 | 18.0 | 99.3 | 70.0 | 30.2 | 21.0 | 60.3 | 27.0 |

Note: See Notes, tables 5.12 and 5.17. Data exclude corporations, offenders sentenced to life sentences, and indeterminate sentences; and include prison portion of split or mixed sentences. For methodology and definitions of terms, see Appendix 11.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), pp. 55, 56.

^aIncludes misdemeanors.

^bIncludes offenders for whom offense category or characteristics were unknown.

^cFor some offenders, prior adult convictions are limited to those used in calculating guideline sentences (see Source, p. 57).

Table 5.21

Defendants disposed of in U.S. District Courts

By type of disposition, 1945-98

| | Not convicted | | | | | Convicted and sentenced | | | |
|------|------------------|--------|------------------------|--------------|-------|-------------------------|-----------------------------------|--------------|-------|
| | Total defendants | Total | Dismissed ^a | Acquitted by | | Total | Plea of guilty or nolo contendere | Convicted by | |
| | | | | Court | Jury | | | Court | Jury |
| 1945 | 43,755 | 7,641 | 6,462 | 331 | 848 | 36,114 | 30,817 | 3,082 | 2,215 |
| 1946 | 38,872 | 6,693 | 5,599 | 259 | 835 | 32,179 | 27,385 | 3,250 | 1,544 |
| 1947 | 38,180 | 5,592 | 4,512 | 279 | 801 | 32,588 | 29,138 | 2,336 | 1,114 |
| 1948 | 35,431 | 4,911 | 3,990 | 225 | 696 | 30,520 | 27,833 | 1,672 | 1,015 |
| 1949 | 37,318 | 4,245 | 3,332 | 297 | 616 | 33,073 | 30,447 | 1,628 | 998 |
| 1950 | 38,835 | 4,210 | 3,268 | 276 | 666 | 34,625 | 31,739 | 1,731 | 1,155 |
| 1951 | 42,286 | 4,096 | 3,204 | 309 | 583 | 38,190 | 35,271 | 1,795 | 1,124 |
| 1952 | 39,947 | 3,904 | 2,947 | 296 | 661 | 36,043 | 32,734 | 2,002 | 1,307 |
| 1953 | 39,234 | 4,349 | 3,220 | 409 | 720 | 34,885 | 31,336 | 2,207 | 1,342 |
| 1954 | 44,447 | 4,903 | 3,617 | 501 | 785 | 39,544 | 35,560 | 2,308 | 1,678 |
| 1955 | 40,235 | 5,184 | 3,832 | 450 | 902 | 35,501 | 31,148 | 2,077 | 1,826 |
| 1956 | 33,216 | 4,320 | 3,125 | 425 | 770 | 28,896 | 25,029 | 2,227 | 1,640 |
| 1957 | 31,284 | 3,544 | 2,426 | 348 | 770 | 27,740 | 23,867 | 2,343 | 1,530 |
| 1958 | 32,055 | 3,717 | 2,606 | 378 | 733 | 28,338 | 24,256 | 2,475 | 1,607 |
| 1959 | 32,125 | 3,736 | 2,667 | 321 | 748 | 28,389 | 24,793 | 2,089 | 1,507 |
| 1960 | 31,984 | 3,828 | 2,629 | 340 | 859 | 28,156 | 24,245 | 2,179 | 1,732 |
| 1961 | 32,671 | 4,046 | 2,887 | 291 | 868 | 28,625 | 24,830 | 2,124 | 1,671 |
| 1962 | 33,110 | 4,599 | 3,374 | 390 | 835 | 28,511 | 24,639 | 1,997 | 1,875 |
| 1963 | 34,845 | 5,042 | 3,735 | 544 | 763 | 29,803 | 25,924 | 2,005 | 1,874 |
| 1964 | 33,381 | 4,211 | 2,936 | 559 | 716 | 29,170 | 26,273 | 942 | 1,955 |
| 1965 | 33,718 | 4,961 | 3,789 | 463 | 709 | 28,757 | 25,923 | 961 | 1,873 |
| 1966 | 31,975 | 4,661 | 3,570 | 397 | 694 | 27,314 | 24,127 | 1,066 | 2,121 |
| 1967 | 31,535 | 5,191 | 4,196 | 409 | 586 | 26,344 | 23,121 | 1,040 | 2,173 |
| 1968 | 31,843 | 6,169 | 4,981 | 484 | 704 | 25,674 | 22,055 | 1,184 | 2,435 |
| 1969 | 32,796 | 5,993 | 4,867 | 483 | 643 | 26,803 | 23,138 | 1,152 | 2,513 |
| 1970 | 36,356 | 8,178 | 6,608 | 703 | 867 | 28,178 | 24,111 | 1,290 | 2,777 |
| 1971 | 44,615 | 12,512 | 10,655 | 687 | 1,170 | 32,103 | 27,544 | 1,416 | 3,143 |
| 1972 | 49,516 | 12,296 | 10,219 | 690 | 1,387 | 37,220 | 31,714 | 1,847 | 3,659 |
| 1973 | 46,724 | 11,741 | 9,757 | 661 | 1,323 | 34,983 | 29,009 | 1,873 | 4,101 |
| 1974 | 48,014 | 11,784 | 10,019 | 508 | 1,257 | 36,230 | 30,660 | 1,785 | 3,785 |
| 1975 | 49,212 | 11,779 | 10,274 | 397 | 1,108 | 37,433 | 31,816 | 1,580 | 4,037 |
| 1976 | 51,612 | 11,500 | 9,752 | 508 | 1,240 | 40,112 | 34,041 | 1,587 | 4,484 |
| 1977 | 53,188 | 11,732 | 9,952 | 598 | 1,382 | 41,456 | 35,323 | 1,629 | 4,504 |
| 1978 | 45,922 | 9,417 | 7,792 | 311 | 1,314 | 36,505 | 31,112 | 1,431 | 3,962 |
| 1979 | 41,175 | 8,262 | 6,791 | 303 | 1,168 | 32,913 | 27,295 | 2,006 | 3,612 |
| 1980 | 36,560 | 7,962 | 6,633 | 283 | 1,046 | 28,598 | 23,111 | 1,851 | 3,636 |
| 1981 | 38,127 | 8,259 | 6,981 | 266 | 1,012 | 29,868 | 24,322 | 1,867 | 3,679 |
| 1982 | 40,466 | 8,214 | 7,051 | 255 | 938 | 32,252 | 27,392 | 1,205 | 3,655 |
| 1983 | 43,329 | 7,738 | 6,566 | 281 | 891 | 35,591 | 30,523 | 1,286 | 3,782 |
| 1984 | 44,501 | 8,397 | 7,022 | 327 | 1,048 | 36,104 | 31,461 | 969 | 3,674 |
| 1985 | 47,360 | 8,830 | 7,484 | 415 | 931 | 38,530 | 33,823 | 994 | 3,713 |
| 1986 | 50,040 | 9,300 | 7,894 | 461 | 945 | 40,740 | 35,448 | 1,139 | 4,153 |
| 1987 | 54,168 | 10,226 | 8,802 | 446 | 978 | 43,942 | 38,440 | 1,371 | 4,131 |
| 1988 | 52,791 | 9,889 | 8,379 | 453 | 1,057 | 42,902 | 37,514 | 1,267 | 4,121 |
| 1989 | 54,643 | 10,119 | 8,420 | 638 | 1,061 | 44,524 | 38,681 | 1,225 | 4,618 |
| 1990 | 56,519 | 9,794 | 8,193 | 630 | 971 | 46,725 | 40,452 | 1,063 | 5,210 |
| 1991 | 56,747 | 9,979 | 8,372 | 603 | 1,004 | 46,768 | 41,213 | 699 | 4,856 |
| 1992 | 59,644 | 9,384 | 7,769 | 560 | 1,055 | 50,260 | 44,632 | 576 | 5,052 |
| 1993 | 61,309 | 9,586 | 8,284 | 396 | 906 | 51,723 | 46,541 | 500 | 4,682 |
| 1994 | 59,625 | 9,908 | 8,669 | 545 | 693 | 49,717 | 45,429 | 491 | 3,797 |
| 1995 | 54,980 | 8,207 | 7,112 | 482 | 613 | 46,773 | 43,103 | 467 | 3,203 |
| 1996 | 60,255 | 7,985 | 7,083 | 340 | 562 | 52,270 | 48,196 | 461 | 3,613 |
| 1997 | 63,148 | 7,500 | 6,607 | 400 | 493 | 55,648 | 51,918 | 499 | 3,231 |
| 1998 | 67,934 | 8,049 | 6,968 | 594 | 487 | 59,885 | 56,256 | 601 | 3,028 |

Note: See Note, table 5.8. The District of Columbia is excluded from these data through 1973. The territorial courts of the Virgin Islands, Canal Zone, and Guam are excluded through 1976. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Beginning in 1991, defendants charged in two or more cases that were terminated during the year are reported only once.

^aIncludes defendants who were committed pursuant to Title 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director, 1979*, p. 108; *1981*, p. 101, Table 46; *1983*, p. 171; *1985*, p. 180; *1986*, pp. 271-278; *1995*, pp. 225-227; *1998*, pp. 228-230 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director, 1982*, p. 141; *1987*, pp. 294-304; *1988*, pp. 297-304; *1989*, pp. 295-302; *1990*, pp. 204-207; *1991*, pp. 256, 257, 262, 263; *1992*, pp. 269-272, 276-279; *1993*, Tables D-5, D-7; *1994*, Tables D-5, D-7; *1996*, pp. 221-223; *1997*, pp. 214-216 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.22

Defendants sentenced in U.S. District Courts

By type and length of sentence, 1945-98

| | Type of sentence | | | | | | | | | | | Average sentence to imprisonment (in months) ^f | Average sentence to probation (in months) ^g |
|------|--------------------|--------------------------------|---------------------|----------------------|----------------------|----------------|-----------------------------|----------------------------|------------|-------|--------------------|---|--|
| | Imprisonment | | | | | | | | | | | | |
| | Total ^b | Regular sentences ^a | | | | | Split sentence ^c | Indeterminate ^d | Pro-bation | Fine | Other ^e | | |
| | | Total regular | 1 through 12 months | 13 through 35 months | 36 through 60 months | Over 60 months | | | | | | | |
| 1945 | 17,095 | X | 10,522 | 3,634 | 2,017 | 922 | X | X | 14,359 | 4,660 | X | 16.5 | NA |
| 1946 | 15,393 | X | 9,316 | 3,610 | 1,809 | 658 | X | X | 12,691 | 4,095 | X | 18.6 | NA |
| 1947 | 15,146 | X | 9,033 | 3,679 | 1,746 | 688 | X | X | 13,318 | 4,124 | X | 17.3 | NA |
| 1948 | 13,505 | X | 8,033 | 3,329 | 1,517 | 626 | X | X | 14,014 | 3,001 | X | 17.6 | NA |
| 1949 | 14,730 | X | 9,389 | 3,378 | 1,392 | 571 | X | X | 15,161 | 3,182 | X | 15.8 | NA |
| 1950 | 14,998 | X | 8,910 | 3,799 | 1,588 | 701 | X | X | 16,603 | 3,024 | X | 17.5 | NA |
| 1951 | 15,568 | X | 9,215 | 3,758 | 1,805 | 790 | X | X | 19,855 | 2,767 | X | 18.1 | NA |
| 1952 | 15,963 | X | 9,094 | 3,817 | 2,072 | 980 | X | X | 17,687 | 2,393 | X | 19.1 | NA |
| 1953 | 16,355 | X | 8,969 | 4,213 | 2,164 | 1,009 | X | X | 15,811 | 2,719 | X | 19.4 | NA |
| 1954 | 19,221 | X | 10,977 | 4,546 | 2,487 | 1,211 | X | X | 17,517 | 2,806 | X | 18.9 | NA |
| 1955 | 17,542 | X | 8,942 | 4,584 | 2,724 | 1,292 | X | X | 14,584 | 2,945 | X | 21.9 | NA |
| 1956 | 13,576 | X | 5,681 | 4,217 | 2,478 | 1,200 | X | X | 12,365 | 2,955 | X | 24.9 | NA |
| 1957 | 13,798 | X | 5,473 | 4,018 | 2,635 | 1,672 | X | X | 11,434 | 2,508 | X | 28.0 | NA |
| 1958 | 14,101 | X | 5,382 | 4,029 | 2,861 | 1,829 | X | X | 11,617 | 2,620 | X | 28.2 | NA |
| 1959 | 14,350 | X | 5,024 | 3,680 | 3,237 | 1,849 | (c) | X | 11,379 | 2,660 | X | 29.2 | NA |
| 1960 | 14,170 | X | 5,024 | 3,877 | 3,288 | 1,981 | (c) | X | 11,081 | 2,905 | X | 29.6 | NA |
| 1961 | 14,462 | X | 4,057 | 4,753 | 3,481 | 2,171 | (c) | X | 10,714 | 2,772 | 677 | 31.0 | NA |
| 1962 | 14,042 | X | 4,088 | 4,441 | 3,418 | 2,095 | (c) | X | 11,071 | 2,618 | 780 | 32.0 | NA |
| 1963 | 13,639 | X | 2,949 | 4,218 | 3,228 | 2,076 | 1,168 | X | 12,047 | 2,847 | 1,270 | 32.3 | NA |
| 1964 | 13,273 | X | 2,992 | 4,085 | 3,094 | 1,987 | 1,115 | X | 11,634 | 2,689 | 1,574 | 31.9 | NA |
| 1965 | 13,668 | X | 3,748 | 3,139 | 3,262 | 2,252 | 1,267 | X | 10,779 | 2,477 | 1,833 | 33.5 | NA |
| 1966 | 13,282 | X | 3,549 | 2,926 | 3,332 | 2,092 | 1,383 | X | 10,256 | 2,356 | 1,420 | 32.9 | NA |
| 1967 | 13,085 | X | 3,236 | 2,837 | 3,411 | 2,381 | 1,220 | X | 9,435 | 2,293 | 1,531 | 36.5 | NA |
| 1968 | 12,610 | X | 2,473 | 2,413 | 3,568 | 2,915 | 1,241 | X | 9,820 | 1,816 | 1,428 | 42.2 | NA |
| 1969 | 12,847 | X | 2,771 | 2,252 | 3,500 | 3,012 | 1,312 | X | 9,991 | 1,682 | 2,283 | 42.0 | NA |
| 1970 | 12,415 | X | 2,753 | 2,253 | 3,290 | 2,775 | 1,344 | X | 11,387 | 1,935 | 2,441 | 41.1 | NA |
| 1971 | 14,378 | X | 2,820 | 2,599 | 3,326 | 3,482 | 2,151 | X | 13,243 | 1,789 | 2,693 | 42.1 | NA |
| 1972 | 16,832 | X | 4,450 | 2,645 | 3,695 | 3,569 | 2,473 | X | 15,395 | 2,232 | 2,761 | 38.1 | NA |
| 1973 | 17,540 | X | 3,384 | 2,912 | 4,141 | 4,220 | 2,883 | X | 15,026 | 1,866 | 551 | 15.4 | NA |
| 1974 | 17,180 | X | 3,333 | 2,880 | 4,107 | 3,960 | 2,900 | X | 16,623 | 2,078 | 349 | 42.2 | NA |
| 1975 | 17,301 | X | 3,337 | 2,825 | 4,437 | 4,387 | 2,315 | X | 17,913 | 1,876 | 343 | 45.5 | NA |
| 1976 | 18,477 | X | 3,530 | 3,096 | 4,731 | 4,862 | 2,258 | X | 18,208 | 3,199 | 228 | 47.2 | NA |
| 1977 | 19,552 | 13,772 | 4,016 | 2,938 | 2,953 | 3,865 | 3,217 | 1,604 | 16,135 | 5,409 | 360 | 34.7 | 32.8 |
| 1978 | 17,426 | 12,234 | 3,284 | 2,804 | 2,792 | 3,354 | 3,263 | 1,132 | 14,525 | 4,279 | 285 | 48.6 | 32.4 |
| 1979 | 14,580 | 9,818 | 2,320 | 2,344 | 2,389 | 2,765 | 3,234 | 887 | 13,459 | 4,368 | 506 | 49.0 | 32.3 |
| 1980 | 13,191 | 8,484 | 2,016 | 1,936 | 1,945 | 2,587 | 3,012 | 1,123 | 11,053 | 3,916 | 438 | 51.9 | 33.1 |
| 1981 | 13,700 | 8,906 | 2,192 | 1,904 | 1,906 | 2,906 | 3,069 | 1,232 | 12,173 | 3,507 | 488 | 55.3 | 31.7 |
| 1982 | 15,857 | 10,673 | 2,202 | 2,313 | 2,422 | 3,736 | 3,538 | 1,163 | 12,723 | 3,395 | 277 | 58.6 | 32.2 |
| 1983 | 17,886 | 11,979 | 2,503 | 2,671 | 2,543 | 4,262 | 3,973 | 1,496 | 14,097 | 3,220 | 388 | 57.2 | 33.5 |
| 1984 | 17,710 | 11,828 | 2,282 | 2,666 | 2,628 | 4,252 | 4,063 | 1,482 | 13,880 | 3,977 | 537 | 58.0 | 35.0 |
| 1985 | 18,679 | 12,910 | 2,285 | 2,886 | 2,995 | 4,744 | 4,084 | 1,494 | 14,404 | 4,830 | 617 | 60.2 | 35.2 |
| 1986 | 20,261 | 15,004 | 2,393 | 3,251 | 3,529 | 5,831 | 4,397 | 1,200 | 15,230 | 4,232 | 657 | 64.6 | 35.5 |
| 1987 | 23,344 | 17,556 | 2,661 | 3,850 | 3,942 | 7,103 | 4,524 | 1,257 | 16,023 | 4,368 | 207 | 65.4 | 35.2 |
| 1988 | 22,473 | 17,605 | 3,070 | 3,721 | 3,291 | 7,523 | 4,014 | 848 | 16,057 | 4,087 | 285 | 66.1 | 34.0 |
| 1989 | 24,867 | 21,485 | 5,057 | 5,301 | 3,463 | 7,664 | 2,676 | 706 | 14,997 | 4,193 | 467 | 58.6 | 32.9 |
| 1990 | 27,796 | 25,768 | 6,701 | 6,466 | 3,305 | 9,296 | 1,716 | 312 | 14,196 | 4,176 | 557 | 59.2 | 32.7 |
| 1991 | 29,189 | 28,809 | 7,896 | 6,667 | 5,123 | 9,123 | NA | NA | 13,754 | 3,772 | 53 | 69.6 | 42.7 |
| 1992 | 32,866 | 31,895 | 8,281 | 8,073 | 5,650 | 9,891 | NA | NA | 13,299 | 3,985 | 109 | 65.6 | 32.3 |
| 1993 | 35,001 | 33,664 | 8,493 | 8,241 | 6,790 | 10,140 | NA | NA | 12,775 | 3,870 | 77 | 63.9 | 32.1 |
| 1994 | 33,554 | 32,075 | 7,856 | 8,116 | 6,535 | 9,568 | NA | NA | 12,409 | 3,650 | 52 | 64.1 | 32.3 |
| 1995 | 32,439 | 31,112 | 7,806 | 8,226 | 5,807 | 9,273 | NA | NA | 11,288 | 2,875 | 171 | 66.4 | 32.5 |
| 1996 | 37,579 | 35,556 | 8,597 | 9,606 | 6,811 | 10,542 | NA | NA | 11,526 | 2,929 | 229 | 61.4 | 32.3 |
| 1997 | 41,105 | 38,419 | 9,086 | 11,054 | 7,547 | 10,732 | NA | NA | 11,656 | 2,672 | 215 | 58.8 | 32.7 |
| 1998 | 45,166 | 42,085 | 9,750 | 12,004 | 8,359 | 11,972 | NA | NA | 11,708 | 2,732 | 279 | 58.8 | 32.7 |

See notes at end of table.

Table 5.22

Defendants sentenced in U.S. District Courts

By type and length of sentence, 1945-98--Continued

Note: See Notes, tables 5.8 and 5.21. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

Prior to 1977, the periods reported for lengths of sentences of imprisonment are 1 year and 1 day and under, over 1 year and 1 day to 3 years, 3 to 5 years, and 5 years and over. Beginning in 1977, the periods reported for lengths of sentences of imprisonment are 1 through 12 months, 13 through 35 months, 36 through 59 months, and 60 months and over. Beginning in 1991, two of the periods reported for lengths of sentences to imprisonment changed. The period 36 through 59 months changed to 36 through 60 months, and the period 60 months and over changed to over 60 months.

Some data have been revised and may differ from previous editions of SOURCEBOOK.

^aIncludes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

^bPrior to 1989, total includes Youth Corrections Act and youthful offender sentences not separately enumerated. From 1979-85, total includes Federal Juvenile Delinquency Act sentences not separately enumerated. Beginning in 1991, total includes life sentences, death sentences, and cases with either no sentence, a suspended sentence, a sealed sentence, deportation, or imprisonment of 4 days or less.

^cA "split sentence" is a sentence on a one-count indictment of 6 months or less in a jail-type institution followed by a term of probation, Title 18 U.S.C. 3651 approved Aug. 23, 1958 (72 Stat. 834). Included are mixed sentences involving confinement for 6 months or less on one count to be followed by a term of probation on one or more counts. For 1959-62, split sentences are included in prison terms of 1 year and 1 day and under.

^dTitle 18 U.S.C. 4205B(1) and (2).

^eFrom 1945-60, "other" was included with sentences of probation. From 1986-90, "other" included deportation, suspended sentences, imprisonment for 4 days or less, time already served, remitted and suspended fines, and life sentences. Beginning in 1991, "other" includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

^fFrom 1977-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences were not included in computing average sentence. Beginning in 1991, deportation, suspended sentence, sealed sentences, imprisonment of 4 days or less, no sentences, life sentences, and death sentences were not included in computing average sentence.

^gFrom 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences were not included in computing average sentences. Beginning in 1991, supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence were not included in computing the average sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in the United States District Courts July 1973-June 1974* (Washington, DC: Administrative Office of the United States Courts, 1977), p. H-1; Administrative Office of the United States Courts, *Annual Report of the Director, 1979*, p. 108; *1981*, p. 101, Table 46; *1983*, p. 171; *1985*, p. 180; *1986*, pp. 271-278; *1995*, pp. 228-231; *1998*, pp. 231-234 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director, 1982*, p. 141; *1987*, pp. 294-304; *1988*, pp. 297-304; *1989*, pp. 295-302; *1990*, pp. 204-207; *1991*, pp. 256, 257, 262, 263; *1992*, pp. 269-272, 276-279; *1993*, Tables D-5, D-7; *1994*, Tables D-5, D-7; *1996*, pp. 224-227; *1997*, pp. 217-220 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.23

Defendants disposed of in U.S. District Courts

By offense and type of disposition, fiscal year 1998

| Offense | Total defendants | Not convicted | | | | Convicted and sentenced | | | | |
|----------------------------------|------------------|---------------|------------------------|--------------|------|-------------------------|----------------|-------------------------|--------------|-------|
| | | Total | Dismissed ^a | Acquitted by | | Total | Plea of guilty | Plea of nolo contendere | Convicted by | |
| | | | | Court | Jury | | | | Court | Jury |
| Total | 67,934 | 8,049 | 6,968 | 594 | 487 | 59,885 | 55,913 | 343 | 601 | 3,028 |
| GENERAL OFFENSES | | | | | | | | | | |
| Homicide | 348 | 58 | 42 | 0 | 16 | 290 | 235 | 0 | 2 | 53 |
| Murder-first degree | 271 | 47 | 31 | 0 | 16 | 224 | 177 | 0 | 2 | 45 |
| Murder-second degree | 23 | 3 | 3 | 0 | 0 | 20 | 18 | 0 | 0 | 2 |
| Manslaughter | 54 | 8 | 8 | 0 | 0 | 46 | 40 | 0 | 0 | 6 |
| Robbery | 1,652 | 68 | 58 | 3 | 7 | 1,584 | 1,516 | 2 | 2 | 64 |
| Bank | 1,585 | 62 | 53 | 2 | 7 | 1,523 | 1,458 | 2 | 2 | 61 |
| Postal | 42 | 1 | 1 | 0 | 0 | 41 | 39 | 0 | 0 | 2 |
| Other | 25 | 5 | 4 | 1 | 0 | 20 | 19 | 0 | 0 | 1 |
| Assault | 590 | 118 | 93 | 10 | 15 | 472 | 412 | 2 | 22 | 36 |
| Burglary | 101 | 9 | 8 | 0 | 1 | 92 | 91 | 0 | 0 | 1 |
| Bank | 1 | 0 | X | X | X | 1 | 1 | 0 | 0 | 0 |
| Postal | 30 | 3 | 2 | 0 | 1 | 27 | 27 | 0 | 0 | 0 |
| Interstate shipments | 5 | 0 | X | X | X | 5 | 5 | 0 | 0 | 0 |
| Other | 65 | 6 | 6 | 0 | 0 | 59 | 58 | 0 | 0 | 1 |
| Larceny and theft | 3,699 | 828 | 783 | 36 | 9 | 2,871 | 2,684 | 41 | 38 | 108 |
| Bank | 298 | 14 | 13 | 1 | 0 | 284 | 277 | 0 | 1 | 6 |
| Postal | 484 | 33 | 32 | 0 | 1 | 451 | 440 | 0 | 0 | 11 |
| Interstate shipments | 264 | 36 | 34 | 0 | 2 | 228 | 189 | 0 | 0 | 39 |
| Other U.S. property | 1,820 | 440 | 405 | 33 | 2 | 1,380 | 1,288 | 39 | 33 | 20 |
| Transport stolen property | 322 | 39 | 34 | 1 | 4 | 283 | 253 | 0 | 1 | 29 |
| Other | 511 | 266 | 265 | 1 | 0 | 245 | 237 | 2 | 3 | 3 |
| Embezzlement | 1,285 | 128 | 114 | 5 | 9 | 1,157 | 1,122 | 0 | 2 | 33 |
| Bank | 684 | 68 | 66 | 2 | 0 | 616 | 608 | 0 | 0 | 8 |
| Postal | 245 | 21 | 15 | 2 | 4 | 224 | 219 | 0 | 0 | 5 |
| Other | 356 | 39 | 33 | 1 | 5 | 317 | 295 | 0 | 2 | 20 |
| Fraud | 10,413 | 837 | 740 | 27 | 70 | 9,576 | 9,108 | 25 | 16 | 427 |
| Income tax | 865 | 39 | 33 | 2 | 4 | 826 | 764 | 4 | 2 | 56 |
| Lending institution | 1,478 | 136 | 114 | 5 | 17 | 1,342 | 1,281 | 2 | 2 | 57 |
| Postal | 1,587 | 164 | 144 | 3 | 17 | 1,423 | 1,301 | 9 | 4 | 109 |
| Veterans and allotments | 1 | 0 | X | X | X | 1 | 1 | 0 | 0 | 0 |
| Securities and Exchange | 55 | 12 | 11 | 0 | 1 | 43 | 35 | 0 | 0 | 8 |
| Social Security | 331 | 32 | 32 | 0 | 0 | 299 | 280 | 1 | 0 | 18 |
| False personation | 41 | 6 | 6 | 0 | 0 | 35 | 33 | 0 | 1 | 1 |
| Nationality laws | 182 | 16 | 15 | 1 | 0 | 166 | 160 | 0 | 1 | 5 |
| Passport fraud | 257 | 27 | 27 | 0 | 0 | 230 | 223 | 0 | 2 | 5 |
| False claims and statements | 1,949 | 121 | 103 | 10 | 8 | 1,828 | 1,780 | 3 | 2 | 43 |
| Other | 3,667 | 284 | 255 | 6 | 23 | 3,383 | 3,250 | 6 | 2 | 125 |
| Auto theft | 280 | 31 | 28 | 0 | 3 | 249 | 200 | 0 | 5 | 44 |
| Forgery and counterfeiting | 1,556 | 146 | 139 | 3 | 4 | 1,410 | 1,365 | 1 | 2 | 42 |
| Transport forged securities | 0 | X | X | X | X | X | X | X | X | X |
| Postal forgery | 2 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| Other forgery | 283 | 36 | 36 | 0 | 0 | 247 | 243 | 0 | 0 | 4 |
| Counterfeiting | 1,271 | 109 | 102 | 3 | 4 | 1,162 | 1,121 | 1 | 2 | 38 |
| Sex offenses | 688 | 81 | 64 | 1 | 16 | 607 | 559 | 0 | 3 | 45 |
| Sexual abuse | 270 | 41 | 29 | 1 | 11 | 229 | 206 | 0 | 1 | 22 |
| Other | 418 | 40 | 35 | 0 | 5 | 378 | 353 | 0 | 2 | 23 |
| Drug laws | 24,141 | 2,612 | 2,371 | 47 | 194 | 21,529 | 20,030 | 12 | 62 | 1,425 |
| Miscellaneous general offenses | 11,344 | 2,217 | 1,691 | 427 | 99 | 9,127 | 8,046 | 245 | 298 | 538 |
| Bribery | 211 | 28 | 17 | 0 | 11 | 183 | 172 | 0 | 0 | 11 |
| Drunk driving and traffic | 4,852 | 1,343 | 951 | 391 | 1 | 3,509 | 3,039 | 221 | 238 | 11 |
| Escape | 547 | 70 | 66 | 1 | 3 | 477 | 458 | 0 | 5 | 14 |
| Extortion, racketeering, threats | 1,174 | 98 | 83 | 5 | 10 | 1,076 | 962 | 0 | 3 | 111 |
| Gambling and lottery | 42 | 1 | 1 | 0 | 0 | 41 | 39 | 0 | 0 | 2 |
| Kidnaping | 142 | 26 | 24 | 0 | 2 | 116 | 85 | 0 | 0 | 31 |
| Perjury | 112 | 19 | 12 | 1 | 6 | 93 | 80 | 0 | 2 | 11 |
| Weapons and firearms | 3,708 | 482 | 402 | 17 | 63 | 3,226 | 2,870 | 1 | 23 | 332 |
| Other | 556 | 150 | 135 | 12 | 3 | 406 | 341 | 23 | 27 | 15 |

See notes at end of table.

Table 5.23

Defendants disposed of in U.S. District Courts

By offense and type of disposition, fiscal year 1998--Continued

| Offense | Total defendants | Not convicted | | | | Convicted and sentenced | | | | |
|--------------------------------|------------------|---------------|------------------------|--------------|------|-------------------------|----------------|-------------------------|--------------|------|
| | | Total | Dismissed ^a | Acquitted by | | Total | Plea of guilty | Plea of nolo contendere | Convicted by | |
| | | | | Court | Jury | | | | Court | Jury |
| SPECIAL OFFENSES | | | | | | | | | | |
| Immigration laws | 8,777 | 415 | 401 | 6 | 8 | 8,362 | 8,284 | 1 | 13 | 64 |
| Liquor, Internal Revenue | 1 | 0 | X | X | X | 1 | 1 | 0 | 0 | 0 |
| Federal statutes | 3,059 | 501 | 436 | 29 | 36 | 2,558 | 2,260 | 14 | 136 | 148 |
| Agricultural/conservation acts | 352 | 102 | 92 | 9 | 1 | 250 | 223 | 4 | 18 | 5 |
| Antitrust violations | 30 | 1 | 1 | 0 | 0 | 29 | 25 | 0 | 0 | 4 |
| Food and Drug Act | 58 | 3 | 3 | 0 | 0 | 55 | 50 | 2 | 1 | 2 |
| Migratory bird laws | 84 | 9 | 5 | 4 | 0 | 75 | 55 | 0 | 20 | 0 |
| Motor Carrier Act | 6 | 0 | X | X | X | 6 | 6 | 0 | 0 | 0 |
| National defense laws | 1 | 1 | 1 | 0 | 0 | 0 | X | X | X | X |
| Civil rights | 116 | 37 | 30 | 0 | 7 | 79 | 66 | 0 | 0 | 13 |
| Contempt | 49 | 5 | 3 | 1 | 1 | 44 | 37 | 0 | 3 | 4 |
| Customs laws | 150 | 27 | 26 | 0 | 1 | 123 | 123 | 0 | 0 | 0 |
| Postal laws | 180 | 14 | 11 | 1 | 2 | 166 | 166 | 0 | 0 | 0 |
| Other | 2,033 | 302 | 264 | 14 | 24 | 1,731 | 1,509 | 8 | 94 | 120 |

Note: Defendants charged in two or more cases that were terminated during the year are reported only once. The data exclude 758 transfers and 1,475 terminations for defendants charged in more than one case during the year.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 228-230.

^aIncludes defendants who were committed pursuant to Title 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act.

Table 5.24

Defendants sentenced in U.S. District Courts

By offense, and type and length of sentence, fiscal year 1998

| | Sentences to imprisonment | | | | | | | | Type of sentence | | |
|----------------------------------|--------------------------------|--------------------|------------------|---------------------|----------------------|----------------------|----------------|---|------------------|-------|--------------------|
| | Regular sentences ^a | | | | | | | | | | |
| Offense | Total defendants sentenced | Total imprisonment | 6 months or less | 7 through 12 months | 13 through 35 months | 36 through 60 months | Over 60 months | Average sentence in months ^b | Life | Death | Other ^c |
| Total | 59,885 | 45,166 | 5,422 | 4,328 | 12,004 | 8,359 | 11,972 | 58.8 | 294 | 4 | 2,783 |
| GENERAL OFFENSES | | | | | | | | | | | |
| Homicide | 290 | 272 | 10 | 18 | 59 | 46 | 110 | 110.8 | 21 | 4 | 4 |
| Murder-first degree | 224 | 211 | 6 | 7 | 37 | 40 | 94 | 129.3 | 20 | 4 | 3 |
| Murder-second degree | 20 | 19 | 0 | 0 | 2 | 5 | 11 | 114.9 | 1 | 0 | 0 |
| Manslaughter | 46 | 42 | 4 | 11 | 20 | 1 | 5 | 25.9 | 0 | 0 | 1 |
| Robbery | 1,584 | 1,523 | 10 | 21 | 229 | 481 | 771 | 82.6 | 3 | 0 | 8 |
| Bank | 1,523 | 1,472 | 10 | 19 | 217 | 466 | 750 | 83.2 | 3 | 0 | 7 |
| Postal | 41 | 36 | 0 | 1 | 5 | 10 | 19 | 75.1 | 0 | 0 | 1 |
| Other | 20 | 15 | 0 | 1 | 7 | 5 | 2 | 39.7 | 0 | 0 | 0 |
| Assault | 472 | 280 | 65 | 42 | 78 | 46 | 24 | 31.9 | 1 | 0 | 24 |
| Burglary | 92 | 50 | 2 | 7 | 28 | 11 | 2 | 31.2 | 0 | 0 | 0 |
| Bank | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 125.0 | 0 | 0 | 0 |
| Postal | 27 | 22 | 1 | 4 | 13 | 4 | 0 | 23.8 | 0 | 0 | 0 |
| Interstate shipments | 5 | 3 | 0 | 1 | 2 | 0 | 0 | 24.0 | 0 | 0 | 0 |
| Other | 59 | 24 | 1 | 2 | 13 | 7 | 1 | 35.0 | 0 | 0 | 0 |
| Larceny and theft | 2,871 | 1,145 | 282 | 224 | 351 | 112 | 94 | 28.1 | 1 | 0 | 81 |
| Bank | 284 | 105 | 21 | 20 | 31 | 15 | 15 | 30.5 | 1 | 0 | 2 |
| Postal | 451 | 274 | 67 | 60 | 95 | 12 | 17 | 24.2 | 0 | 0 | 23 |
| Interstate shipments | 228 | 173 | 18 | 15 | 53 | 42 | 44 | 63.5 | 0 | 0 | 1 |
| Other U.S. property | 1,380 | 303 | 129 | 67 | 70 | 4 | 3 | 11.4 | 0 | 0 | 30 |
| Transport stolen property | 283 | 211 | 22 | 41 | 91 | 35 | 14 | 28.3 | 0 | 0 | 8 |
| Other | 245 | 79 | 25 | 21 | 11 | 4 | 1 | 13.5 | 0 | 0 | 17 |
| Embezzlement | 1,157 | 636 | 246 | 77 | 140 | 23 | 27 | 16.1 | 0 | 0 | 123 |
| Bank | 616 | 391 | 156 | 40 | 67 | 10 | 8 | 12.1 | 0 | 0 | 110 |
| Postal | 224 | 55 | 31 | 9 | 11 | 1 | 1 | 10.0 | 0 | 0 | 2 |
| Other | 317 | 190 | 59 | 28 | 62 | 12 | 18 | 24.3 | 0 | 0 | 11 |
| Fraud | 9,576 | 5,873 | 1,461 | 965 | 1,898 | 604 | 193 | 21.3 | 2 | 0 | 750 |
| Income tax | 826 | 390 | 135 | 89 | 117 | 33 | 8 | 16.1 | 0 | 0 | 8 |
| Lending institution | 1,342 | 1,089 | 291 | 165 | 395 | 70 | 25 | 18.1 | 0 | 0 | 143 |
| Postal | 1,423 | 939 | 158 | 176 | 390 | 130 | 66 | 29.0 | 0 | 0 | 19 |
| Veterans and allotments | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 6.0 | 0 | 0 | 0 |
| Securities and Exchange | 43 | 27 | 1 | 5 | 12 | 5 | 4 | 41.3 | 0 | 0 | 0 |
| Social Security | 299 | 169 | 60 | 24 | 40 | 12 | 3 | 18.0 | 0 | 0 | 30 |
| False personation | 35 | 9 | 3 | 1 | 3 | 1 | 0 | 17.0 | 0 | 0 | 1 |
| Nationality laws | 166 | 146 | 48 | 28 | 33 | 12 | 6 | 16.7 | 0 | 0 | 19 |
| Passport fraud | 230 | 160 | 67 | 15 | 10 | 4 | 2 | 9.6 | 0 | 0 | 62 |
| False claims and statements | 1,828 | 1,019 | 327 | 87 | 151 | 56 | 12 | 15.6 | 1 | 0 | 385 |
| Other | 3,383 | 1,924 | 370 | 375 | 747 | 281 | 67 | 23.1 | 1 | 0 | 83 |
| Motor vehicle theft | 249 | 217 | 12 | 22 | 54 | 27 | 81 | 99.9 | 17 | 0 | 4 |
| Forgery and counterfeiting | 1,410 | 847 | 216 | 188 | 304 | 70 | 29 | 20.0 | 0 | 0 | 40 |
| Transport forged securities | 0 | X | X | X | X | X | X | X | X | X | X |
| Postal forgery | 1 | 0 | X | X | X | X | X | X | X | X | X |
| Other forgery | 247 | 96 | 37 | 24 | 26 | 2 | 3 | 14.7 | 0 | 0 | 4 |
| Counterfeiting | 1,162 | 751 | 179 | 164 | 278 | 68 | 26 | 20.7 | 0 | 0 | 36 |
| Sex offenses | 607 | 517 | 30 | 50 | 194 | 86 | 150 | 59.1 | 2 | 0 | 5 |
| Sexual abuse | 229 | 195 | 9 | 17 | 68 | 20 | 78 | 73.3 | 2 | 0 | 1 |
| Other | 378 | 322 | 21 | 33 | 126 | 66 | 72 | 50.6 | 0 | 0 | 4 |
| Drug laws | 21,529 | 19,809 | 769 | 1,331 | 4,443 | 4,517 | 8,002 | 78.0 | 180 | 0 | 567 |
| Miscellaneous general offenses | 9,127 | 5,012 | 433 | 359 | 1,092 | 993 | 1,804 | 84.0 | 63 | 0 | 268 |
| Bribery | 183 | 96 | 35 | 16 | 24 | 10 | 7 | 23.4 | 0 | 0 | 4 |
| Drunk driving and traffic | 3,509 | 356 | 131 | 30 | 33 | 3 | 2 | 8.1 | 0 | 0 | 157 |
| Escape | 477 | 423 | 98 | 99 | 168 | 29 | 16 | 19.8 | 0 | 0 | 13 |
| Extortion, racketeering, threats | 1,076 | 889 | 49 | 54 | 181 | 243 | 306 | 79.7 | 22 | 0 | 34 |
| Gambling and lottery | 41 | 16 | 4 | 2 | 3 | 3 | 4 | 41.7 | 0 | 0 | 0 |
| Kidnaping | 116 | 107 | 1 | 1 | 13 | 21 | 54 | 147.2 | 12 | 0 | 5 |
| Perjury | 93 | 49 | 15 | 11 | 14 | 4 | 3 | 28.7 | 0 | 0 | 2 |
| Weapons and firearms | 3,226 | 2,980 | 63 | 139 | 637 | 672 | 1,406 | 102.2 | 29 | 0 | 34 |
| Other | 406 | 96 | 37 | 7 | 19 | 8 | 6 | 22.7 | 0 | 0 | 19 |

See notes at end of table.

| Probation | | | | | | | |
|-----------|------------------|---------------------|----------------------|--------------------|---|--------------------|-----------|
| Total | 6 months or less | 7 through 12 months | 13 through 35 months | 36 months and over | Average sentence in months ^d | Other ^e | Fine only |
| 11,987 | 657 | 2,406 | 2,094 | 6,551 | 32.7 | 279 | 2,732 |
| 18 | 0 | 1 | 2 | 15 | 58.1 | 0 | 0 |
| 13 | 0 | 1 | 2 | 10 | 59.2 | 0 | 0 |
| 1 | 0 | 0 | 0 | 1 | 60.0 | 0 | 0 |
| 4 | 0 | 0 | 0 | 4 | 54.0 | 0 | 0 |
| 61 | 1 | 4 | 8 | 48 | 45.5 | 0 | 0 |
| 51 | 0 | 3 | 6 | 42 | 47.0 | 0 | 0 |
| 5 | 1 | 0 | 1 | 3 | 36.8 | 0 | 0 |
| 5 | 0 | 1 | 1 | 3 | 38.4 | 0 | 0 |
| 180 | 11 | 40 | 48 | 81 | 28.4 | 0 | 12 |
| 42 | 1 | 0 | 3 | 37 | 47.2 | 1 | 0 |
| 0 | X | X | X | X | X | X | X |
| 5 | 0 | 0 | 1 | 3 | 33.6 | 1 | 0 |
| 2 | 1 | 0 | 0 | 1 | 18.5 | 0 | 0 |
| 35 | 0 | 0 | 2 | 33 | 50.8 | 0 | 0 |
| 1,573 | 192 | 411 | 250 | 706 | 29.0 | 14 | 153 |
| 178 | 2 | 12 | 25 | 138 | 40.4 | 1 | 1 |
| 176 | 0 | 10 | 21 | 141 | 39.0 | 4 | 1 |
| 54 | 2 | 5 | 13 | 33 | 39.7 | 1 | 1 |
| 991 | 178 | 343 | 159 | 306 | 23.8 | 5 | 86 |
| 71 | 3 | 4 | 12 | 52 | 41.6 | 0 | 1 |
| 103 | 7 | 37 | 20 | 36 | 27.6 | 3 | 63 |
| 503 | 18 | 65 | 110 | 284 | 33.7 | 26 | 18 |
| 211 | 14 | 37 | 37 | 101 | 27.4 | 22 | 14 |
| 169 | 1 | 19 | 50 | 99 | 38.7 | 0 | 0 |
| 123 | 3 | 9 | 23 | 84 | 37.8 | 4 | 4 |
| 3,642 | 87 | 302 | 609 | 2,587 | 38.3 | 57 | 61 |
| 428 | 14 | 46 | 94 | 271 | 36.0 | 3 | 8 |
| 252 | 4 | 32 | 26 | 169 | 37.0 | 21 | 1 |
| 476 | 14 | 30 | 62 | 368 | 41.9 | 2 | 8 |
| 0 | X | X | X | X | X | X | X |
| 15 | 0 | 0 | 2 | 13 | 42.4 | 0 | 1 |
| 128 | 3 | 12 | 27 | 83 | 36.6 | 3 | 2 |
| 24 | 0 | 5 | 4 | 15 | 31.5 | 0 | 2 |
| 20 | 0 | 1 | 7 | 11 | 28.8 | 1 | 0 |
| 70 | 4 | 5 | 19 | 34 | 28.8 | 8 | 0 |
| 797 | 14 | 53 | 98 | 628 | 36.8 | 4 | 12 |
| 1,432 | 34 | 118 | 270 | 995 | 39.8 | 15 | 27 |
| 32 | 0 | 2 | 6 | 23 | 37.1 | 1 | 0 |
| 562 | 11 | 32 | 138 | 380 | 39.1 | 1 | 1 |
| X | X | X | X | X | X | X | X |
| 1 | 0 | 0 | 1 | 0 | 24.0 | 0 | 0 |
| 150 | 5 | 15 | 54 | 76 | 38.8 | 0 | 1 |
| 411 | 6 | 17 | 83 | 304 | 39.3 | 1 | 0 |
| 88 | 3 | 7 | 15 | 63 | 42.1 | 0 | 2 |
| 34 | 0 | 7 | 3 | 24 | 39.1 | 0 | 0 |
| 54 | 3 | 0 | 12 | 39 | 44.0 | 0 | 2 |
| 1,675 | 46 | 316 | 257 | 1,010 | 34.9 | 46 | 45 |
| 1,864 | 163 | 859 | 277 | 531 | 23.6 | 34 | 2,251 |
| 83 | 1 | 11 | 13 | 58 | 37.9 | 0 | 4 |
| 1,000 | 111 | 736 | 86 | 54 | 13.6 | 13 | 2,153 |
| 50 | 7 | 9 | 12 | 20 | 26.2 | 2 | 4 |
| 187 | 3 | 16 | 49 | 112 | 35.8 | 7 | 0 |
| 25 | 0 | 2 | 11 | 11 | 32.9 | 1 | 0 |
| 8 | 1 | 0 | 0 | 7 | 102.4 | 0 | 1 |
| 44 | 1 | 4 | 15 | 24 | 32.6 | 0 | 0 |
| 236 | 7 | 23 | 59 | 142 | 35.0 | 5 | 10 |
| 231 | 32 | 58 | 32 | 103 | 33.8 | 6 | 79 |

Table 5.24

Defendants sentenced in U.S. District Courts

By offense, and type and length of sentence, fiscal year 1998--Continued

| | | | | | | | | | Type of sentence | | |
|--------------------------------|----------------------------|--------------------|--------------------------------|---------------------|----------------------|----------------------|----------------|---|------------------|-------|--------------------|
| Offense | Total defendants sentenced | Total imprisonment | Sentences to imprisonment | | | | | | Life | Death | Other ^c |
| | | | Regular sentences ^a | | | | | | | | |
| | | | 6 months or less | 7 through 12 months | 13 through 35 months | 36 through 60 months | Over 60 months | Average sentence in months ^b | | | |
| SPECIAL OFFENSES | | | | | | | | | | | |
| Immigration laws | 8,362 | 7,959 | 1,637 | 884 | 2,829 | 1,222 | 576 | 25.6 | 0 | 0 | 811 |
| Liquor, Internal Revenue | 1 | 0 | X | X | X | X | X | X | X | X | X |
| Federal statutes | 2,558 | 1,026 | 249 | 140 | 305 | 121 | 109 | 39.5 | 4 | 0 | 98 |
| Agricultural/conservation acts | 250 | 44 | 22 | 9 | 7 | 1 | 0 | 9.3 | 0 | 0 | 5 |
| Antitrust violations | 29 | 4 | 0 | 2 | 2 | 0 | 0 | 12.3 | 0 | 0 | 0 |
| Food and Drug Act | 55 | 9 | 2 | 1 | 2 | 2 | 1 | 26.3 | 0 | 0 | 1 |
| Migratory bird laws | 75 | 1 | 0 | 1 | 0 | 0 | 0 | 12.0 | 0 | 0 | 0 |
| Motor Carrier Act | 6 | 2 | 0 | 1 | 0 | 0 | 0 | 10.0 | 0 | 0 | 1 |
| National defense laws | 0 | X | X | X | X | X | X | X | X | X | X |
| Civil rights | 79 | 55 | 6 | 6 | 17 | 8 | 17 | 91.3 | 0 | 0 | 1 |
| Contempt | 44 | 22 | 9 | 2 | 5 | 0 | 4 | 29.9 | 0 | 0 | 2 |
| Customs laws | 123 | 61 | 16 | 9 | 19 | 7 | 0 | 17.7 | 0 | 0 | 10 |
| Postal laws | 166 | 13 | 11 | 1 | 0 | 0 | 0 | 3.3 | 0 | 0 | 1 |
| Other | 1,731 | 815 | 183 | 108 | 253 | 103 | 87 | 40.0 | 4 | 0 | 77 |

Note: The data exclude 758 transfers and 1,475 terminations for defendants charged in more than one case during the year.

^aIncludes sentences of at least 1 month that may be followed by a term of probation (mixed sentences).

^bExcludes life sentences, death sentences, deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.

^cIncludes deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.

^dExcludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

^eIncludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 231-234.

| Probation | | | | | | | |
|-----------|---------------------------|------------------------------|-------------------------------|-----------------------------|---|--------------------|--------------|
| Total | 6 months or less | 7 through 12 months | 13 through 35 months | 36 months and over | Average sentence in months ^d | Other ^e | Fine only |
| 401 | 57 | 48 | 58 | 205 | 29.2 | 33 | 2 |
| 1 | 0 | 0 | 0 | 1 | 72.0 | 0 | 0 |
| 1,345 | 67 | 319 | 313 | 580 | 27.8 | 66 | 187 |
| 159 | 19 | 46 | 37 | 57 | 24.8 | 0 | 47 |
| 12 | 0 | 1 | 3 | 8 | 45.0 | 0 | 13 |
| 39 | 0 | 9 | 13 | 16 | 29.5 | 1 | 7 |
| 69 | 1 | 55 | 3 | 10 | 16.6 | 0 | 5 |
| 2 | 0 | 1 | 0 | 1 | 24.0 | 0 | 2 |
| X | X | X | X | X | X | X | X |
| 21 | 0 | 5 | 4 | 12 | 33.1 | 0 | 3 |
| 19 | 1 | 6 | 5 | 7 | 26.2 | 0 | 3 |
| 58 | 4 | 6 | 16 | 27 | 28.2 | 5 | 4 |
| 148 | 9 | 43 | 48 | 48 | 24.5 | 0 | 5 |
| 818 | 33 | 147 | 184 | 394 | 29.5 | 60 | 98 |

Table 5.25

Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines

By primary offense, sex, race, and ethnicity, fiscal year 1997

| Primary offense | Sex | | | | | | Race, ethnicity ^a | | | | | | | |
|------------------------------------|-------------|--------|---------|--------|---------|-------------|------------------------------|---------|--------|---------|----------|---------|--------------------|---------|
| | Total cases | Male | | Female | | Total cases | White | | Black | | Hispanic | | Other ^b | |
| | | Number | Percent | Number | Percent | | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 48,615 | 41,330 | 85.0% | 7,285 | 15.0% | 47,616 | 16,524 | 34.7% | 12,888 | 27.1% | 16,065 | 33.7% | 2,139 | 4.5% |
| Murder | 103 | 87 | 84.5 | 16 | 15.5 | 98 | 40 | 40.8 | 16 | 16.3 | 8 | 8.2 | 34 | 34.7 |
| Manslaughter | 53 | 41 | 77.4 | 12 | 22.6 | 53 | 8 | 15.1 | 1 | 1.9 | 1 | 1.9 | 43 | 81.1 |
| Kidnaping, hostage-taking | 76 | 73 | 96.1 | 3 | 3.9 | 75 | 32 | 42.7 | 11 | 14.7 | 15 | 20.0 | 17 | 22.7 |
| Sexual abuse | 219 | 217 | 99.1 | 2 | 0.9 | 219 | 35 | 16.0 | 8 | 3.7 | 9 | 4.1 | 167 | 76.3 |
| Assault | 518 | 463 | 89.4 | 55 | 10.6 | 509 | 204 | 40.1 | 108 | 21.2 | 62 | 12.2 | 135 | 26.5 |
| Robbery | 2,017 | 1,907 | 94.5 | 110 | 5.5 | 1,999 | 834 | 41.7 | 948 | 47.4 | 169 | 8.5 | 48 | 2.4 |
| Arson | 105 | 99 | 94.3 | 6 | 5.7 | 105 | 77 | 73.3 | 12 | 11.4 | 9 | 8.6 | 7 | 6.7 |
| Drug offenses | | | | | | | | | | | | | | |
| Trafficking | 18,058 | 15,857 | 87.8 | 2,201 | 12.2 | 17,982 | 4,461 | 24.8 | 5,856 | 32.6 | 7,320 | 40.7 | 345 | 1.9 |
| Communication facility | 398 | 318 | 79.9 | 80 | 20.1 | 396 | 118 | 29.8 | 156 | 39.4 | 113 | 28.5 | 9 | 2.3 |
| Simple possession | 627 | 484 | 77.2 | 143 | 22.8 | 561 | 285 | 50.8 | 152 | 27.1 | 105 | 18.7 | 19 | 3.4 |
| Firearms | 2,322 | 2,219 | 95.6 | 103 | 4.4 | 2,307 | 982 | 42.6 | 947 | 41.0 | 314 | 13.6 | 64 | 2.8 |
| Burglary, breaking and entering | 61 | 59 | 96.7 | 2 | 3.3 | 61 | 29 | 47.5 | 9 | 14.8 | 5 | 8.2 | 18 | 29.5 |
| Auto theft | 146 | 138 | 94.5 | 8 | 5.5 | 146 | 92 | 63.0 | 26 | 17.8 | 27 | 18.5 | 1 | 0.7 |
| Larceny | 2,806 | 1,902 | 67.8 | 904 | 32.2 | 2,608 | 1,225 | 47.0 | 930 | 35.7 | 257 | 9.9 | 196 | 7.5 |
| Fraud | 6,924 | 5,243 | 75.7 | 1,681 | 24.3 | 6,867 | 3,760 | 54.8 | 1,972 | 28.7 | 686 | 10.0 | 449 | 6.5 |
| Embezzlement | 834 | 359 | 43.0 | 475 | 57.0 | 818 | 466 | 57.0 | 230 | 28.1 | 63 | 7.7 | 59 | 7.2 |
| Forgery, counterfeiting | 666 | 537 | 80.6 | 129 | 19.4 | 662 | 289 | 43.7 | 223 | 33.7 | 104 | 15.7 | 46 | 6.9 |
| Bribery | 279 | 247 | 88.5 | 32 | 11.5 | 279 | 154 | 55.2 | 68 | 24.4 | 33 | 11.8 | 24 | 8.6 |
| Tax | 996 | 834 | 83.7 | 162 | 16.3 | 986 | 758 | 76.9 | 99 | 10.0 | 77 | 7.8 | 52 | 5.3 |
| Money laundering | 895 | 717 | 80.1 | 178 | 19.9 | 884 | 438 | 49.5 | 139 | 15.7 | 273 | 30.9 | 34 | 3.8 |
| Racketeering, extortion | 607 | 562 | 92.6 | 45 | 7.4 | 597 | 241 | 40.4 | 181 | 30.3 | 115 | 19.3 | 60 | 10.1 |
| Gambling, lottery | 181 | 155 | 85.6 | 26 | 14.4 | 180 | 121 | 67.2 | 17 | 9.4 | 0 | X | 42 | 23.3 |
| Civil rights | 161 | 138 | 85.7 | 23 | 14.3 | 157 | 116 | 73.9 | 29 | 18.5 | 5 | 3.2 | 7 | 4.5 |
| Immigration | 6,678 | 6,247 | 93.5 | 431 | 6.5 | 6,546 | 260 | 4.0 | 257 | 3.9 | 5,915 | 90.4 | 114 | 1.7 |
| Pornography, prostitution | 289 | 277 | 95.8 | 12 | 4.2 | 288 | 264 | 91.7 | 8 | 2.8 | 7 | 2.4 | 9 | 3.1 |
| Prison offenses | 302 | 264 | 87.4 | 38 | 12.6 | 298 | 119 | 39.9 | 109 | 36.6 | 62 | 20.8 | 8 | 2.7 |
| Administration of justice offenses | 883 | 651 | 73.7 | 232 | 26.3 | 870 | 400 | 46.0 | 203 | 23.3 | 230 | 26.4 | 37 | 4.3 |
| Environmental, wildlife | 114 | 111 | 97.4 | 3 | 2.6 | 109 | 85 | 78.0 | 0 | X | 13 | 11.9 | 11 | 10.1 |
| National defense | 22 | 20 | 90.9 | 2 | 9.1 | 21 | 10 | 47.6 | 3 | 14.3 | 5 | 23.8 | 3 | 14.3 |
| Antitrust | 11 | 11 | 100.0 | 0 | X | 11 | 8 | 72.7 | 0 | X | 0 | X | 3 | 27.3 |
| Food and drug | 61 | 54 | 88.5 | 7 | 11.5 | 58 | 45 | 77.6 | 3 | 5.2 | 5 | 8.6 | 5 | 8.6 |
| Other | 1,203 | 1,039 | 86.4 | 164 | 13.6 | 866 | 568 | 65.6 | 167 | 19.3 | 58 | 6.7 | 73 | 8.4 |

Note: The sentencing reform provisions of the Comprehensive Crime Control Act, Public Law No. 98-473 (1984), created the United States Sentencing Commission. The Commission's primary function is to develop and monitor sentencing policies and practices for the Federal courts. On Apr. 13, 1987, the Commission submitted its initial Sentencing Guidelines and Policy Statements to Congress. The guidelines became effective on Nov. 1, 1987, and apply to all offenses committed on or after that date. These data are derived from the United States Sentencing Commission's fiscal year 1997 Offender Dataset. The Commission collected information on 48,848 cases sentenced under the Sentencing Reform Act of 1984 during fiscal year 1997 (Oct. 1, 1996 through Sept. 30, 1997). Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases initiated but for which no convictions were obtained, defendants convicted for whom no sentences were yet issued, defendants sentenced but for whom no data were submitted to the Commission, and cases not sentenced under the Sentencing Reform Act of 1984 (non-guideline cases).

A case or defendant is defined as a single sentencing event for a single defendant (even if multiple indictments or multiple convictions are consolidated for sentencing). Multiple defendants in a single sentencing event are treated as

separate cases. If an individual defendant is sentenced more than once during the fiscal year, each sentencing event is identified as a separate case. (Source, p. A-4.)

Of the 48,848 guideline cases, some were excluded due to missing information. For sex, 233 cases were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing gender information, 66. For race and ethnicity, 1,232 cases were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing race or ethnicity information, 1,081.

Under drug offenses, "communication facility" refers to the use of a device, such as a telephone, in a drug trafficking offense.

^aThe Hispanic category includes both black and white Hispanics.

^bIncludes Native Americans, Alaska Natives, Asians, and Pacific Islanders.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), pp. 14, 15. Table adapted by SOURCEBOOK staff.

Table 5.26

Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines

By primary offense and age, fiscal year 1997

| Primary offense | Age | | | | | | | | | | | | | | Mean age (in years) |
|------------------------------------|-------------|----------------|---------|----------------|---------|----------------|---------|----------------|---------|----------------|---------|----------------|---------|---------------|---------------------|
| | Total cases | Under 21 years | | 21 to 25 years | | 26 to 30 years | | 31 to 35 years | | 36 to 40 years | | 41 to 50 years | | Over 50 years | |
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 48,291 | 2,372 | 4.9% | 8,660 | 17.9% | 9,567 | 19.8% | 8,094 | 16.8% | 6,681 | 13.8% | 8,359 | 17.3% | 4,558 | 9.4% |
| Murder | 103 | 15 | 14.6 | 23 | 22.3 | 19 | 18.4 | 9 | 8.7 | 10 | 9.7 | 16 | 15.5 | 11 | 10.7 |
| Manslaughter | 53 | 5 | 9.4 | 15 | 28.3 | 10 | 18.9 | 13 | 24.5 | 6 | 11.3 | 4 | 7.5 | 0 | X |
| Kidnaping, hostage-taking | 76 | 13 | 17.1 | 20 | 26.3 | 19 | 25.0 | 11 | 14.5 | 9 | 11.8 | 3 | 3.9 | 1 | 1.3 |
| Sexual abuse | 219 | 21 | 9.6 | 50 | 22.8 | 33 | 15.1 | 38 | 17.4 | 24 | 11.0 | 27 | 12.3 | 26 | 11.9 |
| Assault | 513 | 34 | 6.6 | 107 | 20.9 | 91 | 17.7 | 84 | 16.4 | 61 | 11.9 | 86 | 16.8 | 50 | 9.7 |
| Robbery | 2,016 | 220 | 10.9 | 485 | 24.1 | 393 | 19.5 | 348 | 17.3 | 234 | 11.6 | 254 | 12.6 | 82 | 4.1 |
| Arson | 105 | 8 | 7.6 | 19 | 18.1 | 19 | 18.1 | 18 | 17.1 | 6 | 5.7 | 19 | 18.1 | 16 | 15.2 |
| Drug offenses | | | | | | | | | | | | | | | |
| Trafficking | 18,040 | 903 | 5.0 | 3,756 | 20.8 | 3,869 | 21.4 | 3,174 | 17.6 | 2,499 | 13.9 | 2,775 | 15.4 | 1,064 | 5.9 |
| Communication facility | 398 | 12 | 3.0 | 70 | 17.6 | 96 | 24.1 | 74 | 18.6 | 66 | 16.6 | 56 | 14.1 | 24 | 6.0 |
| Simple possession | 615 | 74 | 12.0 | 140 | 22.8 | 100 | 16.3 | 94 | 15.3 | 97 | 15.8 | 86 | 14.0 | 24 | 3.9 |
| Firearms | 2,321 | 124 | 5.3 | 458 | 19.7 | 487 | 21.0 | 388 | 16.7 | 325 | 14.0 | 361 | 15.6 | 178 | 7.7 |
| Burglary, breaking and entering | 61 | 13 | 21.3 | 22 | 36.1 | 12 | 19.7 | 8 | 13.1 | 3 | 4.9 | 2 | 3.3 | 1 | 1.6 |
| Auto theft | 146 | 1 | 0.7 | 22 | 15.1 | 29 | 19.9 | 22 | 15.1 | 23 | 15.8 | 23 | 15.8 | 26 | 17.8 |
| Larceny | 2,801 | 258 | 9.2 | 489 | 17.5 | 464 | 16.6 | 427 | 15.2 | 365 | 13.0 | 514 | 18.4 | 284 | 10.1 |
| Fraud | 6,902 | 126 | 1.8 | 688 | 10.0 | 1,054 | 15.3 | 1,085 | 15.7 | 1,036 | 15.0 | 1,707 | 24.7 | 1,206 | 17.5 |
| Embezzlement | 832 | 29 | 3.5 | 166 | 20.0 | 135 | 16.2 | 111 | 13.3 | 121 | 14.5 | 204 | 24.5 | 66 | 7.9 |
| Forgery, counterfeiting | 664 | 42 | 6.3 | 133 | 20.0 | 147 | 22.1 | 104 | 15.7 | 86 | 13.0 | 106 | 16.0 | 46 | 6.9 |
| Bribery | 279 | 3 | 1.1 | 4 | 1.4 | 22 | 7.9 | 32 | 11.5 | 40 | 14.3 | 86 | 30.8 | 92 | 33.0 |
| Tax | 990 | 1 | 0.1 | 8 | 0.8 | 34 | 3.4 | 73 | 7.4 | 138 | 13.9 | 337 | 34.0 | 399 | 40.3 |
| Money laundering | 892 | 6 | 0.7 | 50 | 5.6 | 128 | 14.4 | 151 | 16.9 | 134 | 15.0 | 249 | 27.9 | 174 | 19.5 |
| Racketeering, extortion | 603 | 23 | 3.8 | 134 | 22.2 | 113 | 18.7 | 94 | 15.6 | 63 | 10.4 | 90 | 14.9 | 86 | 14.3 |
| Gambling, lottery | 180 | 0 | X | 3 | 1.7 | 19 | 10.6 | 19 | 10.6 | 17 | 9.4 | 51 | 28.3 | 71 | 39.4 |
| Civil rights | 161 | 13 | 8.1 | 28 | 17.4 | 28 | 17.4 | 18 | 11.2 | 19 | 11.8 | 32 | 19.9 | 23 | 14.3 |
| Immigration | 6,500 | 314 | 4.8 | 1,357 | 20.9 | 1,821 | 28.0 | 1,287 | 19.8 | 877 | 13.5 | 681 | 10.5 | 163 | 2.5 |
| Pornography, prostitution | 289 | 1 | 0.3 | 19 | 6.6 | 38 | 13.1 | 33 | 11.4 | 51 | 17.6 | 87 | 30.1 | 60 | 20.8 |
| Prison offenses | 301 | 10 | 3.3 | 43 | 14.3 | 66 | 21.9 | 46 | 15.3 | 51 | 16.9 | 53 | 17.6 | 32 | 10.6 |
| Administration of justice offenses | 879 | 36 | 4.1 | 148 | 16.8 | 128 | 14.6 | 135 | 15.4 | 127 | 14.4 | 170 | 19.3 | 135 | 15.4 |
| Environmental, wildlife | 114 | 3 | 2.6 | 8 | 7.0 | 18 | 15.8 | 17 | 14.9 | 13 | 11.4 | 36 | 31.6 | 19 | 16.7 |
| National defense | 21 | 0 | X | 1 | 4.8 | 1 | 4.8 | 0 | X | 5 | 23.8 | 9 | 42.9 | 5 | 23.8 |
| Antitrust | 11 | 0 | X | 0 | X | 0 | X | 1 | 9.1 | 1 | 9.1 | 1 | 9.1 | 8 | 72.7 |
| Food and drug | 61 | 0 | X | 2 | 3.3 | 5 | 8.2 | 3 | 4.9 | 7 | 11.5 | 23 | 37.7 | 21 | 34.4 |
| Other | 1,145 | 64 | 5.6 | 192 | 16.8 | 169 | 14.8 | 177 | 15.5 | 167 | 14.6 | 211 | 18.4 | 165 | 14.4 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 557 cases were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing date of birth, 413.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 16.

Table 5.27

Offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelines

By primary offense and education level, fiscal year 1997

| Primary offense | Total | Education level | | | | | | | |
|------------------------------------|--------|--------------------------------|---------|----------------------|---------|--------------|---------|------------------|---------|
| | | Less than high school graduate | | High school graduate | | Some college | | College graduate | |
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 44,608 | 18,506 | 41.5% | 13,679 | 30.7% | 8,898 | 19.9% | 3,525 | 7.9% |
| Murder | 96 | 44 | 45.8 | 26 | 27.1 | 21 | 21.9 | 5 | 5.2 |
| Manslaughter | 53 | 26 | 49.1 | 17 | 32.1 | 10 | 18.9 | 0 | X |
| Kidnaping, hostage-taking | 75 | 44 | 58.7 | 23 | 30.7 | 8 | 10.7 | 0 | X |
| Sexual abuse | 219 | 99 | 45.2 | 82 | 37.4 | 31 | 14.2 | 7 | 3.2 |
| Assault | 473 | 163 | 34.5 | 177 | 37.4 | 97 | 20.5 | 36 | 7.6 |
| Robbery | 1,975 | 725 | 36.7 | 804 | 40.7 | 400 | 20.3 | 46 | 2.3 |
| Arson | 104 | 45 | 43.3 | 32 | 30.8 | 18 | 17.3 | 9 | 8.7 |
| Drug offenses | | | | | | | | | |
| Trafficking | 17,764 | 8,925 | 50.2 | 5,431 | 30.6 | 2,874 | 16.2 | 534 | 3 |
| Communication facility | 391 | 160 | 40.9 | 149 | 38.1 | 71 | 18.2 | 11 | 2.8 |
| Simple possession | 518 | 186 | 35.9 | 201 | 38.8 | 105 | 20.3 | 26 | 5 |
| Firearms | 2,285 | 1,006 | 44 | 868 | 38 | 339 | 14.8 | 72 | 3.2 |
| Burglary, breaking and entering | 61 | 25 | 41 | 28 | 45.9 | 8 | 13.1 | 0 | X |
| Auto theft | 146 | 51 | 34.9 | 59 | 40.4 | 30 | 20.5 | 6 | 4.1 |
| Larceny | 2,460 | 568 | 23.1 | 1,007 | 40.9 | 708 | 28.8 | 177 | 7.2 |
| Fraud | 6,634 | 1,262 | 19 | 1,874 | 28.2 | 2,141 | 32.3 | 1,357 | 20.5 |
| Embezzlement | 812 | 67 | 8.3 | 324 | 39.9 | 324 | 39.9 | 97 | 11.9 |
| Forgery, counterfeiting | 651 | 191 | 29.3 | 246 | 37.8 | 177 | 27.2 | 37 | 5.7 |
| Bribery | 278 | 48 | 17.3 | 69 | 24.8 | 75 | 27.0 | 86 | 30.9 |
| Tax | 973 | 148 | 15.2 | 279 | 28.7 | 235 | 24.2 | 311 | 32 |
| Money laundering | 877 | 205 | 23.4 | 251 | 28.6 | 238 | 27.1 | 183 | 20.9 |
| Racketeering, extortion | 588 | 256 | 43.5 | 198 | 33.7 | 108 | 18.4 | 26 | 4.4 |
| Gambling, lottery | 180 | 49 | 27.2 | 76 | 42.2 | 37 | 20.6 | 18 | 10 |
| Civil rights | 156 | 40 | 25.6 | 58 | 37.2 | 40 | 25.6 | 18 | 11.5 |
| Immigration | 4,453 | 3,522 | 79.1 | 580 | 13 | 247 | 5.5 | 104 | 2.3 |
| Pornography, prostitution | 286 | 31 | 10.8 | 75 | 26.2 | 83 | 29.0 | 97 | 33.9 |
| Prison offenses | 288 | 106 | 36.8 | 125 | 43.4 | 46 | 16.0 | 11 | 3.8 |
| Administration of justice offenses | 857 | 314 | 36.6 | 272 | 31.7 | 189 | 22.1 | 82 | 9.6 |
| Environmental, wildlife | 104 | 33 | 31.7 | 32 | 30.8 | 24 | 23.1 | 15 | 14.4 |
| National defense | 20 | 3 | 15 | 2 | 10 | 6 | 30.0 | 9 | 45 |
| Antitrust | 11 | 0 | X | 2 | 18.2 | 2 | 18.2 | 7 | 63.6 |
| Food and drug | 56 | 4 | 7.1 | 15 | 26.8 | 11 | 19.6 | 26 | 46.4 |
| Other | 764 | 160 | 20.9 | 297 | 38.9 | 195 | 25.5 | 112 | 14.7 |

Note: See Note, table 5.25. Of the 48,848 cases, 4,240 were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing education information, 4,192.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 18.

Table 5.28

Sentences imposed in U.S. District Courts under the U.S. Sentencing Commission guidelines

By primary offense and type of sentence, fiscal year 1997

| Primary offense | Total cases | Imprisonment | | | | | | Probation | | | | | |
|------------------------------------|-------------|------------------------------|---------|-------------|---------|---|---------|---------------------------|---------|---------------------------|---------|----------------|---------|
| | | Total receiving imprisonment | | Prison only | | Prison/ community split sentence ^a | | Total receiving probation | | Probation and confinement | | Probation only | |
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 48,226 | 38,531 | 79.9% | 36,388 | 75.5% | 2,143 | 4.4% | 9,695 | 20.1% | 3,403 | 7.1% | 6,292 | 13.0% |
| Murder | 101 | 100 | 99.0 | 98 | 97.0 | 2 | 2.0 | 1 | 1.0 | 1 | 1.0 | 0 | X |
| Manslaughter | 53 | 46 | 86.8 | 40 | 75.5 | 6 | 11.3 | 7 | 13.2 | 3 | 5.7 | 4 | 7.5 |
| Kidnaping, hostage-taking | 76 | 76 | 100.0 | 74 | 97.4 | 2 | 2.6 | 0 | X | 0 | X | 0 | X |
| Sexual abuse | 218 | 202 | 92.7 | 195 | 89.5 | 7 | 3.2 | 16 | 7.3 | 8 | 3.7 | 8 | 3.7 |
| Assault | 515 | 376 | 73.0 | 363 | 70.5 | 13 | 2.5 | 139 | 27.0 | 47 | 9.1 | 92 | 17.9 |
| Robbery | 2,008 | 1,985 | 98.9 | 1,933 | 96.3 | 52 | 2.6 | 23 | 1.1 | 13 | 0.6 | 10 | 0.5 |
| Arson | 104 | 94 | 90.4 | 92 | 88.5 | 2 | 1.9 | 10 | 9.6 | 5 | 4.8 | 5 | 4.8 |
| Drug offenses | | | | | | | | | | | | | |
| Trafficking | 18,009 | 17,162 | 95.3 | 16,776 | 93.2 | 386 | 2.1 | 847 | 4.7 | 373 | 2.1 | 474 | 2.6 |
| Communication facility | 397 | 342 | 86.1 | 326 | 82.1 | 16 | 4.0 | 55 | 13.9 | 31 | 7.8 | 24 | 6.0 |
| Simple possession | 604 | 212 | 35.1 | 208 | 34.4 | 4 | 0.7 | 392 | 64.9 | 51 | 8.4 | 341 | 56.5 |
| Firearms | 2,311 | 2,123 | 91.9 | 2,034 | 88.0 | 89 | 3.9 | 188 | 8.1 | 83 | 3.6 | 105 | 4.5 |
| Burglary, breaking and entering | 61 | 54 | 88.5 | 50 | 82.0 | 4 | 6.6 | 7 | 11.5 | 5 | 8.2 | 2 | 3.3 |
| Auto theft | 146 | 92 | 63.0 | 81 | 55.5 | 11 | 7.5 | 54 | 37.0 | 29 | 19.9 | 25 | 17.1 |
| Larceny | 2,726 | 1,094 | 40.1 | 921 | 33.8 | 173 | 6.3 | 1,632 | 59.9 | 453 | 16.6 | 1,179 | 43.3 |
| Fraud | 6,872 | 4,297 | 62.5 | 3,572 | 52.0 | 725 | 10.6 | 2,575 | 37.5 | 1,082 | 15.7 | 1,493 | 21.7 |
| Embezzlement | 826 | 481 | 58.2 | 291 | 35.2 | 190 | 23.0 | 345 | 41.8 | 113 | 13.7 | 232 | 28.1 |
| Forgery, counterfeiting | 663 | 412 | 62.1 | 362 | 54.6 | 50 | 7.5 | 251 | 37.9 | 122 | 18.4 | 129 | 19.5 |
| Bribery | 273 | 148 | 54.2 | 121 | 44.3 | 27 | 9.9 | 125 | 45.8 | 55 | 20.1 | 70 | 25.6 |
| Tax | 971 | 405 | 41.7 | 317 | 32.6 | 88 | 9.1 | 566 | 58.3 | 262 | 27.0 | 304 | 31.3 |
| Money laundering | 890 | 717 | 80.6 | 673 | 75.6 | 44 | 4.9 | 173 | 19.4 | 87 | 9.8 | 86 | 9.7 |
| Racketeering, extortion | 601 | 558 | 92.8 | 551 | 91.7 | 7 | 1.2 | 43 | 7.2 | 24 | 4.0 | 19 | 3.2 |
| Gambling, lottery | 178 | 53 | 29.8 | 42 | 23.6 | 11 | 6.2 | 125 | 70.2 | 62 | 34.8 | 63 | 35.4 |
| Civil rights | 159 | 89 | 56.0 | 83 | 52.2 | 6 | 3.8 | 70 | 44.0 | 26 | 16.4 | 44 | 27.7 |
| Immigration | 6,661 | 5,891 | 88.4 | 5,804 | 87.1 | 87 | 1.3 | 770 | 11.6 | 139 | 2.1 | 631 | 9.5 |
| Pornography, prostitution | 287 | 219 | 76.3 | 203 | 70.7 | 16 | 5.6 | 68 | 23.7 | 48 | 16.7 | 20 | 7.0 |
| Prison offenses | 302 | 276 | 91.4 | 264 | 87.4 | 12 | 4.0 | 26 | 8.6 | 10 | 3.3 | 16 | 5.3 |
| Administration of justice offenses | 873 | 577 | 66.1 | 510 | 58.4 | 67 | 7.7 | 296 | 33.9 | 113 | 12.9 | 183 | 21.0 |
| Environmental, wildlife | 110 | 21 | 19.1 | 17 | 15.5 | 4 | 3.6 | 89 | 80.9 | 20 | 18.2 | 69 | 62.7 |
| National defense | 22 | 16 | 72.7 | 15 | 68.2 | 1 | 4.5 | 6 | 27.3 | 2 | 9.1 | 4 | 18.2 |
| Antitrust | 9 | 3 | 33.3 | 2 | 22.2 | 1 | 11.1 | 6 | 66.7 | 3 | 33.3 | 3 | 33.3 |
| Food and drug | 59 | 14 | 23.7 | 12 | 20.3 | 2 | 3.4 | 45 | 76.3 | 7 | 11.9 | 38 | 64.4 |
| Other | 1,141 | 396 | 34.7 | 358 | 31.4 | 38 | 3.3 | 745 | 65.3 | 126 | 11.0 | 619 | 54.3 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 622 cases were excluded due to one or more of the following conditions: missing primary offense category, 167; missing sentencing information, 197; and cases in which a defendant received no imprisonment or probation, 263.

^aA term of imprisonment followed by supervised release with a condition of community confinement or home detention.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 28.

Table 5.29

Length of sentences to imprisonment imposed in U.S. District Courts for U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 1997

| Primary offense | Sentences to imprisonment | | |
|------------------------------------|---------------------------|----------------------------|---------------------------|
| | Total cases | Average length (in months) | Median length (in months) |
| Total | 37,674 | 59.3 | 30 |
| Murder | 98 | 232.5 | 178 |
| Manslaughter | 46 | 34.2 | 24 |
| Kidnaping, hostage-taking | 75 | 185.8 | 130 |
| Sexual abuse | 202 | 73.3 | 49 |
| Assault | 363 | 38.8 | 27 |
| Robbery | 1,979 | 112.5 | 78 |
| Arson | 93 | 104.5 | 51 |
| <u>Drug offenses</u> | | | |
| Trafficking | 17,100 | 82.3 | 57 |
| Communication facility | 341 | 44.1 | 48 |
| Simple possession | 190 | 12.6 | 6 |
| Firearms | 2,010 | 73.5 | 46 |
| Burglary, breaking and entering | 54 | 28.8 | 21 |
| Auto theft | 91 | 21.9 | 18 |
| Larceny | 1,074 | 14.5 | 10 |
| Fraud | 4,251 | 18.8 | 13 |
| Embezzlement | 480 | 7.0 | 4 |
| Forgery, counterfeiting | 410 | 16.0 | 12 |
| Bribery | 147 | 22.9 | 14 |
| Tax | 403 | 16.8 | 12 |
| Money laundering | 715 | 41.1 | 33 |
| Racketeering, extortion | 557 | 114.9 | 60 |
| Gambling, lottery | 53 | 12.8 | 12 |
| Civil rights | 88 | 36.6 | 19 |
| Immigration | 5,541 | 21.2 | 18 |
| Pornography, prostitution | 219 | 33.7 | 18 |
| Prison offenses | 270 | 21.2 | 14 |
| Administration of justice offenses | 569 | 20.4 | 15 |
| Environmental, wildlife | 19 | 16.6 | 10 |
| National defense | 15 | 60.4 | 27 |
| Antitrust | 3 | 11.7 | 12 |
| Food and drug | 13 | 25.8 | 12 |
| Other | 205 | 23.3 | 12 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 10,017 cases with zero months of prison ordered were excluded. In addition, 1,157 cases were excluded due to one or more of the following conditions: missing primary offense category, 110; missing criminal history category, 686; and missing or indeterminable sentencing information, 498.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 30.

Table 5.30

Fines and restitution ordered in U.S. District Courts for U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 1997

| Primary offense | Total cases | No fine or restitution ordered | | Restitution ordered/no fine | | Fine ordered/no restitution | | Both fine and restitution ordered | | Amount of payment ordered (dollar amount) | | | |
|------------------------------------|-------------|--------------------------------|---------|-----------------------------|---------|-----------------------------|---------|-----------------------------------|---------|---|----------|---------|-----------------|
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Total cases | Mean | Median | Total |
| Total | 48,515 | 30,982 | 63.9% | 8,473 | 17.5% | 7,965 | 16.4% | 1,095 | 2.3% | 17,099 | \$97,727 | \$4,000 | \$1,671,028,992 |
| Murder | 102 | 68 | 66.7 | 18 | 17.6 | 7 | 6.9 | 9 | 8.8 | 33 | 11,225 | 4,633 | 370,409 |
| Manslaughter | 53 | 22 | 41.5 | 27 | 50.9 | 2 | 3.8 | 2 | 3.8 | 30 | 5,098 | 2,720 | 152,942 |
| Kidnaping, hostage-taking | 76 | 35 | 46.1 | 29 | 38.2 | 5 | 6.6 | 7 | 9.2 | 38 | 20,571 | 3,190 | 781,685 |
| Sexual abuse | 218 | 120 | 55.0 | 59 | 27.1 | 29 | 13.3 | 10 | 4.6 | 97 | 3,564 | 1,320 | 345,698 |
| Assault | 518 | 340 | 65.6 | 90 | 17.4 | 73 | 14.1 | 15 | 2.9 | 177 | 9,560 | 1,500 | 1,692,148 |
| Robbery | 2,011 | 673 | 33.5 | 1,181 | 58.7 | 74 | 3.7 | 83 | 4.1 | 1,283 | 15,769 | 4,000 | 20,231,925 |
| Arson | 104 | 38 | 36.5 | 55 | 52.9 | 7 | 6.7 | 4 | 3.8 | 65 | 383,050 | 40,000 | 24,898,275 |
| Drug offenses | | | | | | | | | | | | | |
| Trafficking | 18,019 | 15,164 | 84.2 | 127 | 0.7 | 2,705 | 15.0 | 23 | 0.1 | 2,847 | 55,378 | 2,000 | 157,661,348 |
| Communication facility | 397 | 307 | 77.3 | 1 | 0.3 | 89 | 22.4 | 0 | X | 90 | 3,531 | 2,000 | 317,810 |
| Simple possession | 626 | 299 | 47.8 | 2 | 0.3 | 325 | 51.9 | 0 | X | 324 | 969 | 1,000 | 313,926 |
| Firearms | 2,313 | 1,722 | 74.4 | 191 | 8.3 | 383 | 16.6 | 17 | 0.7 | 578 | 24,350 | 2,000 | 14,074,045 |
| Burglary, breaking and entering | 61 | 15 | 24.6 | 36 | 59.0 | 5 | 8.2 | 5 | 8.2 | 46 | 5,041 | 2,233 | 231,900 |
| Auto theft | 146 | 46 | 31.5 | 69 | 47.3 | 27 | 18.5 | 4 | 2.7 | 95 | 31,388 | 10,832 | 2,981,824 |
| Larceny | 2,817 | 675 | 24.0 | 1,202 | 42.7 | 737 | 26.2 | 203 | 7.2 | 2,097 | 22,927 | 2,048 | 48,078,550 |
| Fraud | 6,903 | 1,826 | 26.5 | 3,901 | 56.5 | 755 | 10.9 | 421 | 6.1 | 4,858 | 230,249 | 14,000 | 1,118,551,707 |
| Embezzlement | 832 | 143 | 17.2 | 569 | 68.4 | 72 | 8.7 | 48 | 5.8 | 676 | 45,850 | 7,569 | 30,994,754 |
| Forgery, counterfeiting | 663 | 296 | 44.6 | 222 | 33.5 | 91 | 13.7 | 54 | 8.1 | 352 | 25,239 | 1,220 | 8,883,996 |
| Bribery | 275 | 98 | 35.6 | 53 | 19.3 | 110 | 40.0 | 14 | 5.1 | 175 | 83,517 | 7,709 | 14,615,427 |
| Tax | 991 | 373 | 37.6 | 150 | 15.1 | 420 | 42.4 | 48 | 4.8 | 607 | 51,059 | 6,500 | 30,993,111 |
| Money laundering | 892 | 479 | 53.7 | 161 | 18.0 | 229 | 25.7 | 23 | 2.6 | 396 | 344,374 | 11,155 | 136,371,981 |
| Racketeering, extortion | 603 | 418 | 69.3 | 75 | 12.4 | 95 | 15.8 | 15 | 2.5 | 179 | 136,056 | 7,500 | 24,354,104 |
| Gambling, lottery | 181 | 77 | 42.5 | 1 | 0.6 | 100 | 55.2 | 3 | 1.7 | 104 | 9,386 | 2,200 | 976,155 |
| Civil rights | 161 | 79 | 49.1 | 23 | 14.3 | 53 | 32.9 | 6 | 3.7 | 80 | 7,458 | 2,445 | 596,667 |
| Immigration | 6,669 | 6,226 | 93.4 | 10 | 0.2 | 429 | 6.4 | 4 | 0.1 | 441 | 5,359 | 700 | 2,363,530 |
| Pornography, prostitution | 287 | 167 | 58.2 | 3 | 1.0 | 113 | 39.4 | 4 | 1.4 | 120 | 4,955 | 3,000 | 594,563 |
| Prison offenses | 302 | 263 | 87.1 | 10 | 3.3 | 29 | 9.6 | 0 | X | 39 | 2,643 | 1,000 | 103,067 |
| Administration of justice offenses | 876 | 614 | 70.1 | 70 | 8.0 | 176 | 20.1 | 16 | 1.8 | 259 | 57,785 | 2,000 | 14,966,287 |
| Environmental, wildlife | 115 | 30 | 26.1 | 24 | 20.9 | 42 | 36.5 | 19 | 16.5 | 84 | 7,124 | 2,942 | 598,406 |
| National defense | 22 | 16 | 72.7 | 1 | 4.5 | 5 | 22.7 | 0 | X | 6 | 7,542 | 4,000 | 45,250 |
| Antitrust | 11 | 1 | 9.1 | 3 | 27.3 | 7 | 63.6 | 0 | X | 10 | 59,171 | 35,000 | 591,710 |
| Food and drug | 61 | 17 | 27.9 | 1 | 1.6 | 43 | 70.5 | 0 | X | 44 | 7,325 | 5,000 | 322,318 |
| Other | 1,210 | 335 | 27.7 | 109 | 9.0 | 728 | 60.2 | 38 | 3.1 | 869 | 14,929 | 500 | 12,973,474 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 333 cases were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing information on type of economic sanction for cases in which orders were made, 169. A total of 17,099 cases were used to calculate amount of payments ordered. This differs from the 17,533 cases in which fines and/or restitution were ordered due to the exclusion of cases in which the amount of fine and/or restitution was not specified. Fine information includes either fines and/or cost of supervision.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 33.

Table 5.31

Mode of conviction in U.S. District Courts for U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 1997

| Primary offense | Mode of conviction | | | | |
|------------------------------------|--------------------|----------------|---------|--------|---------|
| | Total cases | Plea of guilty | | Trial | |
| | | Number | Percent | Number | Percent |
| Total | 48,532 | 45,207 | 93.1% | 3,325 | 6.9% |
| Murder | 102 | 68 | 66.7 | 34 | 33.3 |
| Manslaughter | 52 | 46 | 88.5 | 6 | 11.5 |
| Kidnaping, hostage-taking | 76 | 64 | 84.2 | 12 | 15.8 |
| Sexual abuse | 219 | 193 | 88.1 | 26 | 11.9 |
| Assault | 516 | 440 | 85.3 | 76 | 14.7 |
| Robbery | 2,014 | 1,825 | 90.6 | 189 | 9.4 |
| Arson | 103 | 81 | 78.6 | 22 | 21.4 |
| <u>Drug offenses</u> | | | | | |
| Trafficking | 18,025 | 16,485 | 91.5 | 1,540 | 8.5 |
| Communication facility | 398 | 396 | 99.5 | 2 | 0.5 |
| Simple possession | 622 | 609 | 97.9 | 13 | 2.1 |
| Firearms | 2,313 | 2,081 | 90.0 | 232 | 10.0 |
| Burglary, breaking and entering | 61 | 61 | 100.0 | 0 | X |
| Auto theft | 146 | 142 | 97.3 | 4 | 2.7 |
| Larceny | 2,815 | 2,708 | 96.2 | 107 | 3.8 |
| Fraud | 6,912 | 6,502 | 94.1 | 410 | 5.9 |
| Embezzlement | 833 | 812 | 97.5 | 21 | 2.5 |
| Forgery, counterfeiting | 665 | 631 | 94.9 | 34 | 5.1 |
| Bribery | 278 | 252 | 90.6 | 26 | 9.4 |
| Tax | 993 | 925 | 93.2 | 68 | 6.8 |
| Money laundering | 890 | 759 | 85.3 | 131 | 14.7 |
| Racketeering, extortion | 606 | 522 | 86.1 | 84 | 13.9 |
| Gambling, lottery | 179 | 174 | 97.2 | 5 | 2.8 |
| Civil rights | 160 | 130 | 81.3 | 30 | 18.8 |
| Immigration | 6,671 | 6,593 | 98.8 | 78 | 1.2 |
| Pornography, prostitution | 289 | 269 | 93.1 | 20 | 6.9 |
| Prison offenses | 302 | 284 | 94.0 | 18 | 6.0 |
| Administration of justice offenses | 881 | 825 | 93.6 | 56 | 6.4 |
| Environmental, wildlife | 114 | 108 | 94.7 | 6 | 5.3 |
| National defense | 22 | 19 | 86.4 | 3 | 13.6 |
| Antitrust | 11 | 9 | 81.8 | 2 | 18.2 |
| Food and drug | 61 | 56 | 91.8 | 5 | 8.2 |
| Other | 1,203 | 1,138 | 94.6 | 65 | 5.4 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 316 cases were excluded due to one or both of the following conditions: missing primary offense category, 167; and missing information on mode of conviction, 158.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 24.

Table 5.32

Sentences departing from U.S. Sentencing Commission guidelines in U.S. District Courts

By primary offense, fiscal year 1997

| Primary offense | Total cases | Downward departures | | | | | |
|------------------------------------|-------------|---|---------|--------------------------|---------|------------------|---------|
| | | Substantial assistance departure ^a | | Other downward departure | | Upward departure | |
| | | Number | Percent | Number | Percent | Number | Percent |
| Total | 45,874 | 8,820 | 19.2% | 5,568 | 12.1% | 387 | 0.8% |
| Murder | 99 | 18 | 18.2 | 7 | 7.1 | 11 | 11.1 |
| Manslaughter | 53 | 1 | 1.9 | 11 | 20.8 | 3 | 5.7 |
| Kidnaping, hostage-taking | 74 | 10 | 13.5 | 7 | 9.5 | 6 | 8.1 |
| Sexual abuse | 217 | 1 | 0.5 | 40 | 18.4 | 10 | 4.6 |
| Assault | 494 | 8 | 1.6 | 57 | 11.5 | 14 | 2.8 |
| Robbery | 1,933 | 260 | 13.5 | 198 | 10.2 | 50 | 2.6 |
| Arson | 102 | 20 | 19.6 | 11 | 10.8 | 0 | X |
| <u>Drug offenses</u> | | | | | | | |
| Trafficking | 17,622 | 5,533 | 31.4 | 2,175 | 12.3 | 39 | 0.2 |
| Communication facility | 384 | 92 | 24.0 | 49 | 12.8 | 1 | 0.3 |
| Simple possession | 530 | 16 | 3.0 | 12 | 2.3 | 2 | 0.4 |
| Firearms | 2,189 | 281 | 12.8 | 221 | 10.1 | 44 | 2.0 |
| Burglary, breaking and entering | 60 | 5 | 8.3 | 5 | 8.3 | 0 | X |
| Auto theft | 144 | 29 | 20.1 | 6 | 4.2 | 1 | 0.7 |
| Larceny | 2,618 | 174 | 6.6 | 128 | 4.9 | 20 | 0.8 |
| Fraud | 6,593 | 1,120 | 17.0 | 497 | 7.5 | 70 | 1.1 |
| Embezzlement | 790 | 27 | 3.4 | 97 | 12.3 | 1 | 0.1 |
| Forgery, counterfeiting | 639 | 81 | 12.7 | 28 | 4.4 | 4 | 0.6 |
| Bribery | 269 | 76 | 28.3 | 30 | 11.2 | 1 | 0.4 |
| Tax | 929 | 125 | 13.5 | 79 | 8.5 | 6 | 0.6 |
| Money laundering | 846 | 258 | 30.5 | 107 | 12.6 | 7 | 0.8 |
| Racketeering, extortion | 587 | 153 | 26.1 | 59 | 10.1 | 8 | 1.4 |
| Gambling, lottery | 167 | 49 | 29.3 | 9 | 5.4 | 2 | 1.2 |
| Civil rights | 152 | 28 | 18.4 | 12 | 7.9 | 1 | 0.7 |
| Immigration | 6,251 | 198 | 3.2 | 1,475 | 23.6 | 60 | 1.0 |
| Pornography, prostitution | 279 | 35 | 12.5 | 65 | 23.3 | 5 | 1.8 |
| Prison offenses | 287 | 20 | 7.0 | 20 | 7.0 | 7 | 2.4 |
| Administration of justice offenses | 842 | 107 | 12.7 | 94 | 11.2 | 8 | 1.0 |
| Environmental, wildlife | 100 | 13 | 13.0 | 4 | 4.0 | 0 | X |
| National defense | 20 | 7 | 35.0 | 2 | 10.0 | 0 | X |
| Antitrust | 11 | 6 | 54.5 | 4 | 36.4 | 0 | X |
| Food and drug | 57 | 7 | 12.3 | 5 | 8.8 | 0 | X |
| Other | 536 | 62 | 11.6 | 54 | 10.1 | 6 | 1.1 |

Note: See Note, table 5.25. Of the 48,848 cases, 2,974 cases were excluded due to one or both of the following conditions: missing offense type, 167; or missing/inapplicable departure information, 2,831.

^aCases departed downward based on a motion by the Government for a reduced sentence due to the defendant's substantial assistance to authorities.

Source: U.S. Sentencing Commission, *1997 Sourcebook of Federal Sentencing Statistics* (Washington, DC: U.S. Sentencing Commission, 1998), p. 56.

Table 5.33

Defendants charged with violation of drug laws in U.S. District Courts

By type of disposition, 1945-98

| | Not convicted | | | | | Convicted and sentenced | | | |
|------|------------------|-------|------------------------|--------------|------|-------------------------|-----------------------------------|--------------|-------|
| | Total defendants | Total | Dismissed ^a | Acquitted by | | Total | Plea of guilty or nolo contendere | Convicted by | |
| | | | | Court | Jury | | | Court | Jury |
| 1945 | 1,413 | 228 | 197 | 5 | 26 | 1,185 | 1,062 | 35 | 88 |
| 1946 | 1,687 | 349 | 305 | 13 | 31 | 1,338 | 1,218 | 37 | 83 |
| 1947 | 1,880 | 210 | 153 | 17 | 40 | 1,670 | 1,517 | 57 | 96 |
| 1948 | 1,790 | 308 | 237 | 14 | 57 | 1,482 | 1,324 | 48 | 110 |
| 1949 | 1,806 | 208 | 148 | 14 | 46 | 1,598 | 1,404 | 59 | 135 |
| 1950 | 2,400 | 264 | 184 | 28 | 52 | 2,136 | 1,907 | 61 | 168 |
| 1951 | 2,332 | 304 | 234 | 25 | 45 | 2,028 | 1,745 | 105 | 178 |
| 1952 | 2,121 | 252 | 184 | 29 | 39 | 1,869 | 1,523 | 109 | 237 |
| 1953 | 2,336 | 333 | 237 | 30 | 66 | 2,003 | 1,589 | 121 | 293 |
| 1954 | 2,220 | 310 | 239 | 28 | 43 | 1,910 | 1,491 | 107 | 312 |
| 1955 | 2,166 | 363 | 279 | 32 | 52 | 1,803 | 1,386 | 95 | 322 |
| 1956 | 1,835 | 314 | 221 | 36 | 57 | 1,521 | 1,168 | 93 | 260 |
| 1957 | 1,910 | 256 | 184 | 28 | 44 | 1,654 | 1,264 | 91 | 299 |
| 1958 | 1,942 | 301 | 217 | 25 | 59 | 1,641 | 1,138 | 129 | 374 |
| 1959 | 1,742 | 364 | 267 | 40 | 57 | 1,378 | 1,005 | 112 | 261 |
| 1960 | 1,846 | 340 | 263 | 38 | 39 | 1,506 | 1,155 | 93 | 258 |
| 1961 | 1,828 | 313 | 248 | 20 | 45 | 1,515 | 1,171 | 74 | 270 |
| 1962 | 1,643 | 240 | 175 | 29 | 36 | 1,403 | 1,022 | 113 | 268 |
| 1963 | 1,689 | 283 | 222 | 34 | 27 | 1,406 | 1,040 | 112 | 254 |
| 1964 | 1,679 | 271 | 205 | 32 | 34 | 1,408 | 1,039 | 112 | 257 |
| 1965 | 2,078 | 323 | 257 | 41 | 25 | 1,755 | 1,384 | 132 | 239 |
| 1966 | 2,223 | 349 | 280 | 36 | 33 | 1,874 | 1,469 | 119 | 286 |
| 1967 | 2,250 | 428 | 363 | 34 | 31 | 1,822 | 1,424 | 119 | 279 |
| 1968 | 2,692 | 563 | 466 | 49 | 48 | 2,129 | 1,664 | 138 | 327 |
| 1969 | 3,545 | 836 | 716 | 50 | 70 | 2,709 | 2,239 | 123 | 347 |
| 1970 | 3,420 | 959 | 886 | 48 | 45 | 2,461 | 2,030 | 97 | 334 |
| 1971 | 5,366 | 2,204 | 2,080 | 43 | 81 | 3,162 | 2,682 | 94 | 386 |
| 1972 | 6,848 | 1,600 | 1,396 | 52 | 152 | 5,248 | 4,391 | 228 | 629 |
| 1973 | 9,983 | 2,169 | 1,905 | 83 | 181 | 7,814 | 6,297 | 393 | 1,124 |
| 1974 | 10,989 | 2,744 | 2,430 | 80 | 234 | 8,245 | 6,666 | 437 | 1,142 |
| 1975 | 10,901 | 2,750 | 2,454 | 62 | 234 | 8,151 | 6,531 | 393 | 1,227 |
| 1976 | 10,762 | 2,721 | 2,404 | 73 | 244 | 8,041 | 6,324 | 446 | 1,271 |
| 1977 | 9,741 | 2,106 | 1,754 | 53 | 299 | 7,635 | 5,970 | 387 | 1,278 |
| 1978 | 7,860 | 2,043 | 1,729 | 37 | 277 | 5,817 | 4,440 | 290 | 1,087 |
| 1979 | 6,609 | 1,542 | 1,297 | 34 | 211 | 5,067 | 3,662 | 240 | 1,165 |
| 1980 | 6,343 | 1,594 | 1,337 | 32 | 225 | 4,749 | 3,450 | 236 | 1,063 |
| 1981 | 7,008 | 1,662 | 1,385 | 29 | 248 | 5,346 | 3,757 | 308 | 1,281 |
| 1982 | 7,981 | 1,645 | 1,360 | 51 | 234 | 6,336 | 4,798 | 342 | 1,196 |
| 1983 | 9,164 | 1,674 | 1,393 | 36 | 245 | 7,490 | 5,774 | 363 | 1,353 |
| 1984 | 9,191 | 1,732 | 1,421 | 28 | 283 | 7,459 | 5,793 | 218 | 1,448 |
| 1985 | 11,208 | 1,977 | 1,609 | 56 | 312 | 9,231 | 7,511 | 223 | 1,497 |
| 1986 | 12,934 | 2,170 | 1,811 | 63 | 296 | 10,764 | 8,888 | 159 | 1,717 |
| 1987 | 15,130 | 2,431 | 2,047 | 49 | 335 | 12,699 | 10,655 | 203 | 1,841 |
| 1988 | 15,750 | 2,588 | 2,168 | 45 | 375 | 13,162 | 11,044 | 170 | 1,948 |
| 1989 | 16,834 | 2,695 | 2,299 | 49 | 347 | 14,139 | 11,686 | 161 | 2,292 |
| 1990 | 19,271 | 3,083 | 2,610 | 53 | 420 | 16,188 | 13,067 | 148 | 2,973 |
| 1991 | 19,227 | 2,881 | 2,444 | 39 | 398 | 16,346 | 13,554 | 93 | 2,699 |
| 1992 | 19,168 | 2,779 | 2,323 | 35 | 421 | 16,389 | 13,577 | 60 | 2,752 |
| 1993 | 21,543 | 2,967 | 2,534 | 60 | 373 | 18,576 | 16,018 | 78 | 2,480 |
| 1994 | 21,441 | 2,978 | 2,592 | 65 | 321 | 18,463 | 16,276 | 48 | 2,139 |
| 1995 | 18,502 | 2,641 | 2,358 | 52 | 231 | 15,861 | 14,345 | 56 | 1,460 |
| 1996 | 20,957 | 2,624 | 2,376 | 38 | 210 | 18,333 | 16,620 | 48 | 1,665 |
| 1997 | 22,276 | 2,443 | 2,224 | 36 | 183 | 19,833 | 18,315 | 65 | 1,453 |
| 1998 | 24,141 | 2,612 | 2,371 | 47 | 194 | 21,529 | 20,042 | 62 | 1,425 |

Note: See Notes, tables 5.8 and 5.21. These data represent defendants charged with Federal offenses under the following statutes: Title 21 U.S.C. 176(a) (the Marijuana Tax Act); Title 26 U.S.C. 1407 (Customs laws governing border crossings by narcotic addicts or violators); Title 18 U.S.C. 4741-62 (imposition of tax and affixing of tax stamps); Title 18 U.S.C. 1403 (conspiracy to commit an offense under the Narcotic Drug Import and Export Act); Title 18 U.S.C. 1406 (immunity from prosecution for grand jury testimony concerning violations of the Narcotic Drug Import and Export Act); other provisions of the Narcotic Drug Import and Export Act (Title 18 U.S.C. 171-200); and other narcotic drug laws (Title 26 U.S.C. 4701-4736, 7237). Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

^aFrom 1968-81 and 1990-98, defendants who were committed pursuant to Title 28 U.S.C. 2902 of the Narcotic Addict Rehabilitation Act are included in the dismissed column.

Source: Administrative Office of the United States Courts, *Federal Offenders in United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 214-216; Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 228-230; and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.34

Defendants sentenced for violation of drug laws in U.S. District Courts

By type and length of sentence, 1945-98

| | Type of sentence | | | | | | | | | | Average sentence to imprisonment (in months) ^d | Average sentence to probation (in months) ^e |
|------|--------------------------------|---------------|---------------------|----------------------|----------------------|----------------|----------------|--------------------|-----------|-----------------------------|---|--|
| | Imprisonment | | | | | | | | | | | |
| | Regular sentences ^a | | | | | | Life sentences | Other ^b | Probation | Fine and other ^c | | |
| | Total | Total regular | 1 through 12 months | 13 through 35 months | 36 through 60 months | Over 60 months | | | | | | |
| 1945 | 861 | X | 308 | 360 | 140 | 53 | NA | X | 287 | 37 | 22.2 | NA |
| 1946 | 949 | X | 430 | 377 | 108 | 34 | NA | X | 369 | 20 | 18.7 | NA |
| 1947 | 1,128 | X | 471 | 452 | 161 | 44 | NA | X | 504 | 38 | 19.7 | NA |
| 1948 | 1,048 | X | 488 | 408 | 122 | 30 | NA | X | 411 | 23 | 18.6 | NA |
| 1949 | 1,187 | X | 541 | 451 | 152 | 43 | NA | X | 398 | 13 | 18.9 | NA |
| 1950 | 1,654 | X | 595 | 736 | 218 | 105 | NA | X | 471 | 11 | 21.9 | NA |
| 1951 | 1,659 | X | 473 | 671 | 328 | 187 | NA | X | 345 | 24 | 27.1 | NA |
| 1952 | 1,551 | X | 221 | 652 | 402 | 276 | NA | X | 312 | 6 | 35.2 | NA |
| 1953 | 1,586 | X | 108 | 789 | 358 | 331 | NA | X | 403 | 14 | 38.4 | NA |
| 1954 | 1,483 | X | 72 | 681 | 360 | 370 | NA | X | 411 | 16 | 41.3 | NA |
| 1955 | 1,457 | X | 47 | 648 | 360 | 402 | NA | X | 329 | 17 | 43.5 | NA |
| 1956 | 1,258 | X | 30 | 511 | 341 | 376 | NA | X | 250 | 13 | 45.8 | NA |
| 1957 | 1,432 | X | 16 | 326 | 248 | 842 | NA | X | 220 | 2 | 66.0 | NA |
| 1958 | 1,351 | X | 25 | 167 | 141 | 1,018 | NA | X | 282 | 8 | 69.4 | NA |
| 1959 | 1,151 | X | 43 | 126 | 95 | 887 | NA | X | 224 | 3 | 74.2 | NA |
| 1960 | 1,232 | X | 33 | 145 | 148 | 906 | NA | X | 271 | 3 | 72.8 | NA |
| 1961 | 1,258 | X | 42 | 126 | 105 | 985 | NA | X | 252 | 5 | 74.0 | NA |
| 1962 | 1,173 | X | 38 | 129 | 106 | 900 | NA | X | 217 | 13 | 70.5 | NA |
| 1963 | 1,085 | X | 39 | 144 | 113 | 789 | NA | X | 304 | 17 | 70.1 | NA |
| 1964 | 1,076 | X | 28 | 142 | 157 | 749 | NA | X | 309 | 23 | 63.7 | NA |
| 1965 | 1,257 | X | 53 | 186 | 197 | 821 | NA | X | 480 | 18 | 60.3 | NA |
| 1966 | 1,272 | X | 85 | 154 | 276 | 757 | NA | X | 589 | 13 | 61.3 | NA |
| 1967 | 1,180 | X | 83 | 139 | 245 | 713 | NA | X | 620 | 22 | 62.0 | NA |
| 1968 | 1,368 | X | 93 | 141 | 293 | 841 | NA | X | 728 | 33 | 64.4 | NA |
| 1969 | 1,581 | X | 110 | 179 | 500 | 892 | NA | X | 1,110 | 18 | 63.7 | NA |
| 1970 | 1,283 | X | 101 | 166 | 276 | 740 | NA | X | 1,156 | 22 | 64.8 | NA |
| 1971 | 1,834 | X | 249 | 300 | 428 | 857 | NA | X | 1,258 | 70 | 58.5 | NA |
| 1972 | 3,050 | X | 882 | 396 | 789 | 983 | NA | X | 2,068 | 130 | 46.4 | NA |
| 1973 | 5,097 | X | 1,445 | 744 | 1,343 | 1,565 | NA | X | 2,591 | 126 | 45.5 | NA |
| 1974 | 5,125 | X | 1,547 | 792 | 1,390 | 1,396 | NA | X | 3,039 | 81 | 43.7 | NA |
| 1975 | 4,887 | X | 1,366 | 706 | 1,441 | 1,374 | NA | X | 3,209 | 55 | 45.3 | NA |
| 1976 | 5,039 | X | 1,221 | 790 | 1,544 | 1,484 | NA | X | 2,927 | 75 | 47.6 | NA |
| 1977 | 5,223 | X | 1,505 | 886 | 1,366 | 1,466 | NA | X | 2,324 | 88 | 47.3 | NA |
| 1978 | 4,119 | 3,605 | 885 | 623 | 956 | 1,141 | NA | 514 | 1,630 | 68 | 51.3 | 38.6 |
| 1979 | 3,641 | 2,820 | 369 | 614 | 868 | 969 | NA | 821 | 1,379 | 47 | 50.8 | 37.8 |
| 1980 | 3,479 | 2,547 | 281 | 565 | 792 | 909 | NA | 932 | 1,232 | 38 | 54.5 | 38.7 |
| 1981 | 3,856 | 2,865 | 403 | 578 | 748 | 1,136 | NA | 991 | 1,371 | 119 | 55.5 | 36.6 |
| 1982 | 4,586 | 3,516 | 383 | 729 | 966 | 1,438 | NA | 1,070 | 1,617 | 133 | 61.4 | 34.1 |
| 1983 | 5,449 | 4,150 | 447 | 890 | 1,011 | 1,802 | NA | 1,299 | 1,893 | 148 | 63.8 | 33.7 |
| 1984 | 5,756 | 4,306 | 354 | 845 | 1,173 | 1,934 | NA | 1,450 | 1,584 | 119 | 65.7 | 43.2 |
| 1985 | 6,786 | 5,207 | 411 | 1,103 | 1,459 | 2,234 | NA | 1,579 | 2,039 | 238 | 64.8 | 36.2 |
| 1986 | 8,152 | 6,601 | 506 | 1,271 | 1,808 | 3,016 | NA | 1,551 | 2,353 | 259 | 70.0 | 38.7 |
| 1987 | 9,907 | 8,188 | 613 | 1,491 | 2,049 | 4,035 | NA | 1,719 | 2,680 | 112 | 73.0 | 39.9 |
| 1988 | 9,983 | 8,560 | 708 | 1,466 | 1,577 | 4,809 | NA | 1,423 | 3,042 | 137 | 78.0 | 33.4 |
| 1989 | 11,626 | 10,838 | 1,270 | 2,343 | 1,844 | 5,381 | NA | 788 | 2,358 | 155 | 73.8 | 32.8 |
| 1990 | 13,838 | 13,462 | 1,490 | 3,047 | 1,801 | 7,124 | NA | 376 | 2,135 | 215 | 79.3 | 32.3 |
| 1991 | 14,382 ^f | 14,286 | 1,687 | 2,828 | 3,063 | 6,708 | 34 | 61 | 1,896 | 68 | 95.7 | 53.4 |
| 1992 | 16,040 | 15,775 | 1,810 | 3,423 | 3,397 | 7,145 | 80 | 185 | 2,011 | 194 | 87.8 | 38.7 |
| 1993 | 16,995 ^f | 16,639 | 2,097 | 3,383 | 4,128 | 7,031 | 186 | 169 | 1,943 | 310 | 83.2 | 35.8 |
| 1994 | 15,623 | 15,130 | 1,836 | 3,074 | 3,798 | 6,422 | 238 | 255 | 1,908 | 73 | 84.3 | 34.4 |
| 1995 | 14,157 | 13,734 | 1,606 | 2,716 | 3,311 | 6,101 | 150 | 273 | 1,597 | 107 | 88.7 | 33.6 |
| 1996 | 18,333 | 16,684 | 1,643 | 3,334 | 4,025 | 7,113 | 197 | 372 | 1,534 | 112 | 82.5 | 35.0 |
| 1997 | 18,231 ^f | 17,456 | 1,687 | 4,166 | 4,445 | 7,158 | 228 | 546 | 1,523 | 79 | 79.3 | 34.9 |
| 1998 | 19,809 | 19,062 | 2,100 | 4,443 | 4,517 | 8,002 | 180 | 567 | 1,629 | 91 | 78.0 | 34.9 |

Note: See Notes, tables 5.8, 5.21, and 5.33. Data for 1945-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aIncludes sentences of more than 6 months that are to be followed by a term of probation (mixed sentences). Beginning in 1991, includes sentences of at least 1 month that may be followed by a term of probation.

^bFrom 1978-88, "other" includes split sentences, indeterminate sentences, and Youth Corrections Act or youthful offender sentences. In 1989 and 1990, the category includes split sentences and indeterminate sentences. Beginning in 1991, "other" includes suspended and sealed sentences, deportation, imprisonment of 4 days or less, and no sentence.

^cIncludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

^dFrom 1978-90, split sentences, Youth Corrections Act and youthful offender sentences, and life sentences are not included in computing average sentence. Beginning in 1991, suspended and sealed sentences, deportation, imprisonment of 4 days or less, no sentence, and death sentences also are not included in computing average sentence.

^eFrom 1986-90, split sentences, indeterminate sentences, and Youth Corrections Act and youthful offender sentences are not included in computing average sentence. Beginning in 1991, supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence are not included in computing the average sentence.

^fIncludes one death sentence.

Source: Administrative Office of the United States Courts, *Federal Offenders in United States District Courts, 1984* (Washington, DC: USGPO, 1986), pp. 42, 43; Administrative Office of the United States Courts, *Federal Offenders in United States District Courts, 1985* (Washington, DC: Administrative Office of the United States Courts, 1987), pp. 40, 41; Administrative Office of the United States Courts, *Annual Report of the Director, 1997* (Washington, DC: USGPO, 1998), pp. 217-220; Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 231-234; and tables provided to SOURCEBOOK staff by the Administrative Office of the United States Courts. Table adapted by SOURCEBOOK staff.

Table 5.35

Drug offenders sentenced in U.S. District Courts under the U.S. Sentencing Commission guidelinesBy offender characteristics, mode of conviction, and drug offense, fiscal year 1997^a

| | Drug type | | | | | | | | | | | | | |
|------------------------------------|-------------|---------|----------------|---------|---------------|---------|--------|---------|-----------|---------|-------------------------------|---------|--------|---------|
| | Total cases | | Powder cocaine | | Crack cocaine | | Heroin | | Marijuana | | Metham-phetamine ^b | | Other | |
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Sex | | | | | | | | | | | | | | |
| Male | 16,428 | 87.3% | 4,084 | 85.8% | 4,148 | 89.7% | 1,517 | 83.8% | 4,593 | 89.1% | 1,639 | 84.7% | 447 | 84.8% |
| Female | 2,385 | 12.7 | 677 | 14.2 | 476 | 10.3 | 294 | 16.2 | 563 | 10.9 | 295 | 15.3 | 80 | 15.2 |
| Race, ethnicity^c | | | | | | | | | | | | | | |
| White | 4,830 | 25.7 | 965 | 20.3 | 298 | 6.4 | 190 | 10.5 | 1,764 | 34.3 | 1,286 | 66.5 | 327 | 62.0 |
| Black | 6,192 | 32.9 | 1,445 | 30.4 | 3,901 | 84.4 | 397 | 21.9 | 321 | 6.2 | 26 | 1.3 | 102 | 19.4 |
| Hispanic | 7,412 | 39.4 | 2,277 | 47.9 | 398 | 8.6 | 1,145 | 63.3 | 2,986 | 58.0 | 518 | 26.8 | 88 | 16.7 |
| Other ^d | 365 | 1.9 | 71 | 1.5 | 27 | 0.6 | 78 | 4.3 | 76 | 1.5 | 103 | 5.3 | 10 | 1.9 |
| Citizenship | | | | | | | | | | | | | | |
| United States | 13,382 | 71.5 | 3,153 | 66.5 | 4,284 | 92.8 | 792 | 44.1 | 3,179 | 62.3 | 1,532 | 79.6 | 442 | 84.0 |
| Non-United States | 5,327 | 28.5 | 1,589 | 33.5 | 331 | 7.2 | 1,005 | 55.9 | 1,925 | 37.7 | 393 | 20.4 | 84 | 16.0 |
| Mode of conviction | | | | | | | | | | | | | | |
| Guilty plea | 17,265 | 91.9 | 4,337 | 91.3 | 4,055 | 87.9 | 1,730 | 95.6 | 4,893 | 95.0 | 1,754 | 90.9 | 496 | 94.3 |
| Trial | 1,515 | 8.1 | 414 | 8.7 | 556 | 12.1 | 79 | 4.4 | 260 | 5.0 | 176 | 9.1 | 30 | 5.7 |
| Drug offenses | | | | | | | | | | | | | | |
| Drug trafficking | 18,010 | 95.7 | 4,628 | 97.2 | 4,415 | 95.5 | 1,768 | 97.6 | 4,852 | 94.1 | 1,866 | 96.5 | 481 | 91.3 |
| Protected locations ^e | 213 | 1.1 | 34 | 0.7 | 124 | 2.7 | 17 | 0.9 | 17 | 0.3 | 11 | 0.6 | 10 | 1.9 |
| Continuing criminal enterprise | 70 | 0.4 | 38 | 0.8 | 12 | 0.3 | 2 | 0.1 | 14 | 0.3 | 4 | 0.2 | 0 | X |
| Rent/manage drug establishment | 48 | 0.3 | 9 | 0.2 | 15 | 0.3 | 3 | 0.2 | 6 | 0.1 | 13 | 0.7 | 2 | 0.4 |
| Possession | 472 | 2.5 | 52 | 1.1 | 58 | 1.3 | 21 | 1.2 | 267 | 5.2 | 40 | 2.1 | 34 | 6.5 |

Note: See Note, table 5.25. Of the 48,848 guideline cases, 18,922 were sentenced under drug offense guidelines. Some cases are excluded from the table due to missing information.

^aPercents may not add to 100 because of rounding.

^bStarting in fiscal year 1996, the category methamphetamine included methamphetamine mixture, methamphetamine actual, ICE, and methamphetamine precursors. Prior to fiscal year 1996, the methamphetamine category did not include ICE.

^cThe Hispanic category includes both black and white Hispanics.

^dIncludes Native Americans, Alaska Natives, Asians, and Pacific Islanders.

^eOffenses occurring at designated protected locations such as near schools or playgrounds.

Source: U.S. Sentencing Commission, **1997 Sourcebook of Federal Sentencing Statistics** (Washington, DC: U.S. Sentencing Commission, 1998), pp. 68-71; p. 73, Table 33. Table constructed by SOURCEBOOK staff.

Table 5.36

Convictions resulting from arrests by the Drug Enforcement AdministrationBy type of drug, fiscal years 1992-98^a

| Fiscal year | Total | | Heroin ^b | | Cocaine ^c | | Type of drug | | Dangerous drugs ^e | | Unknown | |
|-------------|--------|---------|---------------------|---------|----------------------|---------|-----------------------|---------|------------------------------|---------|---------|---------|
| | Number | Percent | Number | Percent | Number | Percent | Cannabis ^d | | Number | Percent | Number | Percent |
| | | | | | | | Number | Percent | | | | |
| 1992 | 17,310 | 100% | 1,574 | 9.1% | 9,462 | 54.7% | 3,666 | 21.2% | 2,597 | 15.0% | 11 | 0.1% |
| 1993 | 18,258 | 100 | 2,219 | 12.2 | 9,787 | 53.6 | 3,806 | 20.8 | 2,439 | 13.4 | 7 | 0.0 |
| 1994 | 14,760 | 100 | 1,499 | 10.2 | 7,869 | 53.3 | 3,409 | 23.1 | 1,976 | 13.4 | 7 | 0.0 |
| 1995 | 14,102 | 100 | 1,480 | 10.5 | 7,296 | 51.7 | 3,183 | 22.6 | 2,137 | 15.2 | 6 | 0.0 |
| 1996 | 15,630 | 100 | 1,656 | 10.6 | 7,615 | 48.7 | 3,666 | 23.5 | 2,687 | 17.2 | 6 | 0.0 |
| 1997 | 15,775 | 100 | 1,753 | 11.1 | 7,360 | 46.7 | 3,705 | 23.5 | 2,942 | 18.6 | 15 | 0.1 |
| 1998 | 18,736 | 100 | 1,841 | 9.8 | 8,588 | 45.8 | 4,252 | 22.7 | 4,027 | 21.5 | 28 | 0.1 |

Note: Data are reported for the year in which the conviction occurred and may include convictions resulting from arrests made in prior years. Data for all years are revised by the Source as additional information becomes available.

^dIncludes marijuana, hashish, and hashish oil.

^eIncludes stimulants (e.g., methamphetamine), depressants (e.g., barbiturates), and hallucinogens (e.g., LSD and PCP).

^aPercents may not add to 100 because of rounding.

^bIncludes morphine, opium, and other opiate-related substances.

^cIncludes crack.

Source: Table adapted by SOURCEBOOK staff from table provided by the U.S. Department of Justice, Drug Enforcement Administration, Defendant Statistical System.

Table 5.37

Antitrust cases filed in U.S. District CourtsBy type of case, 1975-98^a

| | Total | U.S. Government cases | | Private cases | |
|------|-------|-----------------------|---------|---------------|---------|
| | | Number | Percent | Number | Percent |
| 1975 | 1,467 | 92 | 6.3% | 1,375 | 93.7% |
| 1976 | 1,574 | 70 | 4.4 | 1,504 | 95.6 |
| 1977 | 1,689 | 78 | 4.6 | 1,611 | 95.4 |
| 1978 | 1,507 | 72 | 4.8 | 1,435 | 95.2 |
| 1979 | 1,312 | 78 | 5.9 | 1,234 | 94.1 |
| 1980 | 1,535 | 78 | 5.1 | 1,457 | 94.9 |
| 1981 | 1,434 | 142 | 9.9 | 1,292 | 90.1 |
| 1982 | 1,148 | 111 | 9.7 | 1,037 | 90.3 |
| 1983 | 1,287 | 95 | 7.4 | 1,192 | 92.6 |
| 1984 | 1,201 | 101 | 8.4 | 1,100 | 91.6 |
| 1985 | 1,142 | 90 | 7.9 | 1,052 | 92.1 |
| 1986 | 922 | 84 | 9.1 | 838 | 90.9 |
| 1987 | 858 | 100 | 11.6 | 758 | 88.4 |
| 1988 | 752 | 98 | 13.0 | 654 | 87.0 |
| 1989 | 738 | 99 | 13.4 | 639 | 86.6 |
| 1990 | 542 | 90 | 16.6 | 452 | 83.4 |
| 1991 | 743 | 93 | 12.5 | 650 | 87.5 |
| 1992 | 566 | 85 | 15.0 | 481 | 84.9 |
| 1993 | 724 | 86 | 11.9 | 638 | 88.1 |
| 1994 | 729 | 71 | 9.7 | 658 | 90.3 |
| 1995 | 819 | 75 | 9.2 | 744 | 90.8 |
| 1996 | 720 | 73 | 10.1 | 647 | 89.9 |
| 1997 | 632 | 62 | 9.8 | 570 | 90.2 |
| 1998 | 605 | 57 | 9.4 | 548 | 90.6 |

Note: U.S. Government cases include both civil and criminal filings, and include cases where the Government was a plaintiff or a defendant. Data for 1975-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Data for 1988-91 have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aPercents may not add to 100 because of rounding.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, **1985**, p. 156; **1986**, pp. 176, 238; **1995**, pp. 139, 209; **1998**, pp. 143, 212 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, **1984**, p. 151; **1987**, pp. 178, 257; **1988**, pp. 181, 260; **1989**, pp. 177, 258; **1990**, pp. 137, 187; **1991**, pp. 190, 243; **1992**, pp. 179, 250; **1993**, pp. A1-55, A53; **1994**, Tables C-2 and D-2; **1996**, pp. 136, 205; **1997**, pp. 129, 198 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.38

Length of civil and criminal trials completed in U.S. District Courts

By circuit and district, fiscal year 1998

| Circuit and district | Total number of trials | Civil trials | | | | | | | Criminal trials | | | | | | |
|----------------------|------------------------|--------------|-------|--------|--------|-------------|---------------|------------------|-----------------|-------|--------|--------|-------------|---------------|------------------|
| | | Total | 1 day | 2 days | 3 days | 4 to 9 days | 10 to 19 days | 20 days and over | Total | 1 day | 2 days | 3 days | 4 to 9 days | 10 to 19 days | 20 days and over |
| Total | 16,196 | 9,349 | 4,116 | 1,479 | 1,174 | 2,218 | 297 | 65 | 6,847 | 3,092 | 1,183 | 941 | 1,298 | 236 | 97 |
| District of Columbia | 189 | 104 | 38 | 11 | 15 | 36 | 3 | 1 | 85 | 20 | 6 | 13 | 38 | 5 | 3 |
| First Circuit | 505 | 294 | 93 | 46 | 28 | 103 | 21 | 3 | 211 | 69 | 39 | 28 | 48 | 15 | 12 |
| Maine | 52 | 34 | 9 | 4 | 4 | 14 | 2 | 1 | 18 | 6 | 6 | 3 | 3 | 0 | 0 |
| Massachusetts | 190 | 142 | 47 | 24 | 8 | 50 | 11 | 2 | 48 | 9 | 4 | 6 | 16 | 8 | 5 |
| New Hampshire | 50 | 36 | 6 | 2 | 7 | 19 | 2 | 0 | 14 | 8 | 2 | 1 | 2 | 0 | 1 |
| Rhode Island | 65 | 37 | 8 | 10 | 7 | 10 | 2 | 0 | 28 | 4 | 7 | 6 | 9 | 1 | 1 |
| Puerto Rico | 148 | 45 | 23 | 6 | 2 | 10 | 4 | 0 | 103 | 42 | 20 | 12 | 18 | 6 | 5 |
| Second Circuit | 1,479 | 999 | 344 | 146 | 121 | 329 | 44 | 15 | 480 | 178 | 60 | 45 | 141 | 40 | 16 |
| Connecticut | 199 | 148 | 48 | 18 | 20 | 53 | 8 | 1 | 51 | 23 | 3 | 5 | 16 | 2 | 2 |
| New York: | | | | | | | | | | | | | | | |
| Northern | 97 | 70 | 13 | 9 | 9 | 31 | 6 | 2 | 27 | 10 | 2 | 4 | 7 | 2 | 2 |
| Eastern | 415 | 270 | 118 | 35 | 23 | 73 | 12 | 9 | 145 | 48 | 26 | 14 | 39 | 14 | 4 |
| Southern | 629 | 424 | 139 | 73 | 55 | 141 | 15 | 1 | 205 | 72 | 25 | 17 | 65 | 18 | 8 |
| Western | 77 | 50 | 7 | 8 | 10 | 22 | 1 | 2 | 27 | 6 | 3 | 2 | 12 | 4 | 0 |
| Vermont | 62 | 37 | 19 | 3 | 4 | 9 | 2 | 0 | 25 | 19 | 1 | 3 | 2 | 0 | 0 |
| Third Circuit | 1,288 | 962 | 346 | 177 | 115 | 280 | 36 | 8 | 326 | 124 | 50 | 41 | 86 | 15 | 10 |
| Delaware | 82 | 74 | 36 | 11 | 2 | 20 | 5 | 0 | 8 | 5 | 2 | 0 | 1 | 0 | 0 |
| New Jersey | 305 | 230 | 71 | 38 | 33 | 63 | 19 | 6 | 75 | 21 | 11 | 7 | 23 | 8 | 5 |
| Pennsylvania: | | | | | | | | | | | | | | | |
| Eastern | 447 | 346 | 110 | 72 | 55 | 104 | 4 | 1 | 101 | 19 | 14 | 21 | 42 | 3 | 2 |
| Middle | 206 | 132 | 50 | 30 | 13 | 35 | 4 | 0 | 74 | 47 | 10 | 5 | 8 | 2 | 2 |
| Western | 205 | 166 | 71 | 25 | 10 | 55 | 4 | 1 | 39 | 20 | 3 | 5 | 8 | 2 | 1 |
| Virgin Islands | 43 | 14 | 8 | 1 | 2 | 3 | 0 | 0 | 29 | 12 | 10 | 3 | 4 | 0 | 0 |
| Fourth Circuit | 1,644 | 885 | 503 | 139 | 102 | 128 | 11 | 2 | 759 | 396 | 157 | 85 | 95 | 18 | 8 |
| Maryland | 215 | 120 | 49 | 18 | 20 | 30 | 2 | 1 | 95 | 33 | 14 | 18 | 19 | 5 | 6 |
| North Carolina: | | | | | | | | | | | | | | | |
| Eastern | 70 | 20 | 6 | 4 | 3 | 6 | 1 | 0 | 50 | 27 | 10 | 7 | 5 | 1 | 0 |
| Middle | 89 | 19 | 5 | 1 | 2 | 11 | 0 | 0 | 70 | 25 | 19 | 11 | 14 | 1 | 0 |
| Western | 194 | 116 | 97 | 7 | 3 | 9 | 0 | 0 | 78 | 42 | 14 | 8 | 11 | 2 | 1 |
| South Carolina | 334 | 258 | 154 | 33 | 34 | 34 | 2 | 1 | 76 | 36 | 13 | 11 | 15 | 1 | 0 |
| Virginia: | | | | | | | | | | | | | | | |
| Eastern | 451 | 184 | 92 | 51 | 20 | 17 | 4 | 0 | 267 | 168 | 58 | 16 | 20 | 5 | 0 |
| Western | 114 | 53 | 24 | 12 | 11 | 5 | 1 | 0 | 61 | 37 | 11 | 6 | 6 | 0 | 1 |
| West Virginia: | | | | | | | | | | | | | | | |
| Northern | 80 | 65 | 51 | 6 | 4 | 4 | 0 | 0 | 15 | 2 | 3 | 3 | 4 | 3 | 0 |
| Southern | 97 | 50 | 25 | 7 | 5 | 12 | 1 | 0 | 47 | 26 | 15 | 5 | 1 | 0 | 0 |
| Fifth Circuit | 2,486 | 1,484 | 856 | 235 | 189 | 183 | 17 | 4 | 1,002 | 562 | 191 | 110 | 118 | 15 | 6 |
| Louisiana: | | | | | | | | | | | | | | | |
| Eastern | 207 | 167 | 73 | 33 | 35 | 25 | 1 | 0 | 40 | 22 | 6 | 3 | 9 | 0 | 0 |
| Middle | 40 | 22 | 12 | 7 | 2 | 1 | 0 | 0 | 18 | 8 | 7 | 1 | 1 | 1 | 0 |
| Western | 157 | 116 | 57 | 24 | 16 | 19 | 0 | 0 | 41 | 17 | 8 | 4 | 11 | 1 | 0 |
| Mississippi: | | | | | | | | | | | | | | | |
| Northern | 85 | 68 | 28 | 17 | 15 | 8 | 0 | 0 | 17 | 6 | 6 | 1 | 3 | 0 | 1 |
| Southern | 150 | 114 | 41 | 32 | 26 | 13 | 2 | 0 | 36 | 13 | 10 | 7 | 5 | 0 | 1 |
| Texas: | | | | | | | | | | | | | | | |
| Northern | 322 | 221 | 135 | 22 | 24 | 31 | 8 | 1 | 101 | 45 | 15 | 13 | 22 | 5 | 1 |
| Eastern | 221 | 139 | 70 | 35 | 17 | 17 | 0 | 0 | 82 | 42 | 16 | 11 | 12 | 1 | 0 |
| Southern | 828 | 449 | 329 | 44 | 29 | 41 | 5 | 1 | 379 | 243 | 49 | 40 | 39 | 6 | 2 |
| Western | 476 | 188 | 111 | 21 | 25 | 28 | 1 | 2 | 288 | 166 | 74 | 30 | 16 | 1 | 1 |
| Sixth Circuit | 1,307 | 802 | 359 | 119 | 99 | 207 | 18 | 0 | 505 | 201 | 101 | 79 | 106 | 12 | 6 |
| Kentucky: | | | | | | | | | | | | | | | |
| Eastern | 105 | 45 | 18 | 8 | 9 | 9 | 1 | 0 | 60 | 30 | 15 | 6 | 9 | 0 | 0 |
| Western | 120 | 61 | 29 | 8 | 6 | 14 | 4 | 0 | 59 | 33 | 7 | 12 | 5 | 2 | 0 |
| Michigan: | | | | | | | | | | | | | | | |
| Eastern | 205 | 142 | 31 | 14 | 22 | 71 | 4 | 0 | 63 | 13 | 10 | 14 | 18 | 6 | 2 |
| Western | 97 | 37 | 25 | 1 | 1 | 8 | 2 | 0 | 60 | 30 | 14 | 4 | 12 | 0 | 0 |
| Ohio: | | | | | | | | | | | | | | | |
| Northern | 183 | 131 | 59 | 19 | 15 | 36 | 2 | 0 | 52 | 7 | 10 | 10 | 23 | 0 | 2 |
| Southern | 173 | 126 | 70 | 15 | 11 | 27 | 3 | 0 | 47 | 24 | 4 | 6 | 10 | 1 | 2 |
| Tennessee: | | | | | | | | | | | | | | | |
| Eastern | 140 | 94 | 53 | 20 | 9 | 11 | 1 | 0 | 46 | 22 | 12 | 8 | 3 | 1 | 0 |
| Middle | 133 | 89 | 43 | 17 | 14 | 14 | 1 | 0 | 44 | 19 | 8 | 8 | 8 | 1 | 0 |
| Western | 151 | 77 | 31 | 17 | 12 | 17 | 0 | 0 | 74 | 23 | 21 | 11 | 18 | 1 | 0 |

See notes at end of table.

Table 5.38

Length of civil and criminal trials completed in U.S. District Courts

By circuit and district, fiscal year 1998--Continued

| Circuit and district | Total number of trials | Civil trials | | | | | | | Criminal trials | | | | | | |
|----------------------|------------------------|--------------|-------|--------|--------|-------------|---------------|------------------|-----------------|-------|--------|--------|-------------|---------------|------------------|
| | | Total | 1 day | 2 days | 3 days | 4 to 9 days | 10 to 19 days | 20 days and over | Total | 1 day | 2 days | 3 days | 4 to 9 days | 10 to 19 days | 20 days and over |
| Seventh Circuit | 952 | 559 | 231 | 96 | 90 | 122 | 14 | 6 | 393 | 180 | 62 | 53 | 75 | 15 | 8 |
| Illinois: | | | | | | | | | | | | | | | |
| Northern | 337 | 238 | 74 | 33 | 37 | 80 | 9 | 5 | 99 | 29 | 13 | 13 | 28 | 9 | 7 |
| Central | 86 | 44 | 19 | 12 | 8 | 2 | 2 | 1 | 42 | 16 | 7 | 6 | 11 | 2 | 0 |
| Southern | 156 | 69 | 32 | 14 | 14 | 8 | 1 | 0 | 87 | 57 | 11 | 8 | 10 | 0 | 1 |
| Indiana: | | | | | | | | | | | | | | | |
| Northern | 122 | 52 | 26 | 10 | 7 | 9 | 0 | 0 | 70 | 28 | 15 | 15 | 11 | 1 | 0 |
| Southern | 134 | 79 | 52 | 9 | 9 | 8 | 1 | 0 | 55 | 44 | 4 | 3 | 3 | 1 | 0 |
| Wisconsin: | | | | | | | | | | | | | | | |
| Eastern | 68 | 44 | 14 | 10 | 9 | 10 | 1 | 0 | 24 | 0 | 6 | 7 | 9 | 2 | 0 |
| Western | 49 | 33 | 14 | 8 | 6 | 5 | 0 | 0 | 16 | 6 | 6 | 1 | 3 | 0 | 0 |
| Eighth Circuit | 1,253 | 736 | 299 | 131 | 105 | 181 | 15 | 5 | 517 | 207 | 103 | 93 | 100 | 11 | 3 |
| Arkansas: | | | | | | | | | | | | | | | |
| Eastern | 249 | 161 | 71 | 33 | 25 | 30 | 1 | 1 | 88 | 64 | 11 | 8 | 5 | 0 | 0 |
| Western | 78 | 67 | 18 | 24 | 15 | 10 | 0 | 0 | 11 | 4 | 1 | 4 | 2 | 0 | 0 |
| Iowa: | | | | | | | | | | | | | | | |
| Northern | 63 | 26 | 8 | 4 | 1 | 11 | 2 | 0 | 37 | 10 | 7 | 8 | 11 | 1 | 0 |
| Southern | 101 | 31 | 18 | 7 | 1 | 5 | 0 | 0 | 70 | 44 | 11 | 7 | 8 | 0 | 0 |
| Minnesota: | | | | | | | | | | | | | | | |
| Northern | 130 | 62 | 16 | 4 | 7 | 27 | 7 | 1 | 68 | 7 | 8 | 17 | 30 | 3 | 3 |
| Missouri: | | | | | | | | | | | | | | | |
| Eastern | 179 | 127 | 43 | 26 | 25 | 28 | 2 | 3 | 52 | 8 | 17 | 12 | 10 | 5 | 0 |
| Western | 189 | 147 | 85 | 18 | 13 | 29 | 2 | 0 | 42 | 10 | 12 | 9 | 10 | 1 | 0 |
| Nebraska: | | | | | | | | | | | | | | | |
| Northern | 139 | 84 | 28 | 12 | 11 | 33 | 0 | 0 | 55 | 23 | 12 | 7 | 12 | 1 | 0 |
| South Dakota | 30 | 7 | 0 | 1 | 2 | 3 | 1 | 0 | 23 | 6 | 7 | 7 | 3 | 0 | 0 |
| South Dakota | 95 | 24 | 12 | 2 | 5 | 5 | 0 | 0 | 71 | 31 | 17 | 14 | 9 | 0 | 0 |
| Ninth Circuit | 2,079 | 925 | 322 | 136 | 103 | 274 | 74 | 16 | 1,154 | 526 | 187 | 147 | 225 | 60 | 9 |
| Alaska: | | | | | | | | | | | | | | | |
| Northern | 45 | 27 | 1 | 2 | 8 | 16 | 0 | 0 | 18 | 4 | 2 | 6 | 6 | 0 | 0 |
| Arizona | 213 | 81 | 22 | 22 | 6 | 23 | 7 | 1 | 132 | 81 | 19 | 14 | 13 | 3 | 2 |
| California: | | | | | | | | | | | | | | | |
| Northern | 175 | 120 | 39 | 8 | 10 | 41 | 20 | 2 | 55 | 16 | 6 | 5 | 17 | 10 | 1 |
| Eastern | 124 | 46 | 6 | 7 | 9 | 18 | 6 | 0 | 78 | 24 | 12 | 11 | 18 | 11 | 2 |
| Central | 368 | 197 | 36 | 29 | 23 | 77 | 24 | 8 | 171 | 24 | 24 | 28 | 76 | 18 | 1 |
| Southern | 388 | 54 | 13 | 9 | 8 | 18 | 3 | 3 | 334 | 204 | 64 | 29 | 32 | 5 | 0 |
| Hawaii: | | | | | | | | | | | | | | | |
| Northern | 48 | 12 | 2 | 5 | 0 | 3 | 1 | 1 | 36 | 15 | 6 | 4 | 10 | 1 | 0 |
| Idaho | 61 | 39 | 23 | 5 | 0 | 10 | 1 | 0 | 22 | 6 | 3 | 4 | 7 | 1 | 1 |
| Montana | 48 | 15 | 6 | 0 | 2 | 4 | 2 | 1 | 33 | 7 | 12 | 6 | 5 | 2 | 1 |
| Nevada | 135 | 79 | 38 | 15 | 12 | 12 | 2 | 0 | 56 | 15 | 14 | 11 | 11 | 5 | 0 |
| Oregon | 128 | 44 | 20 | 5 | 6 | 10 | 3 | 0 | 84 | 55 | 10 | 10 | 8 | 1 | 0 |
| Washington: | | | | | | | | | | | | | | | |
| Eastern | 176 | 97 | 80 | 8 | 3 | 6 | 0 | 0 | 79 | 62 | 7 | 7 | 2 | 1 | 0 |
| Western | 141 | 106 | 31 | 20 | 14 | 36 | 5 | 0 | 35 | 11 | 5 | 6 | 12 | 1 | 0 |
| Guam: | | | | | | | | | | | | | | | |
| Northern | 25 | 7 | 5 | 1 | 1 | 0 | 0 | 0 | 18 | 2 | 3 | 5 | 6 | 1 | 1 |
| Northern Marianas | 4 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 1 | 2 | 0 | 0 |
| Tenth Circuit | 1,148 | 596 | 243 | 92 | 79 | 153 | 27 | 2 | 552 | 336 | 72 | 68 | 65 | 10 | 1 |
| Colorado: | | | | | | | | | | | | | | | |
| Northern | 223 | 141 | 59 | 11 | 15 | 46 | 9 | 1 | 82 | 51 | 9 | 10 | 8 | 3 | 1 |
| Kansas | 180 | 70 | 25 | 9 | 8 | 22 | 5 | 1 | 110 | 65 | 15 | 15 | 13 | 2 | 0 |
| New Mexico | 234 | 90 | 40 | 16 | 10 | 22 | 2 | 0 | 144 | 88 | 27 | 17 | 11 | 1 | 0 |
| Oklahoma: | | | | | | | | | | | | | | | |
| Northern | 112 | 67 | 30 | 16 | 8 | 9 | 4 | 0 | 45 | 25 | 6 | 6 | 6 | 2 | 0 |
| Eastern | 68 | 41 | 20 | 4 | 11 | 6 | 0 | 0 | 27 | 18 | 2 | 2 | 5 | 0 | 0 |
| Western | 166 | 100 | 41 | 22 | 17 | 17 | 3 | 0 | 66 | 44 | 4 | 9 | 8 | 1 | 0 |
| Utah: | | | | | | | | | | | | | | | |
| Northern | 72 | 42 | 7 | 12 | 8 | 15 | 0 | 0 | 30 | 13 | 7 | 4 | 5 | 1 | 0 |
| Wyoming | 93 | 45 | 21 | 2 | 2 | 16 | 4 | 0 | 48 | 32 | 2 | 5 | 9 | 0 | 0 |
| Eleventh Circuit | 1,866 | 1,003 | 482 | 151 | 128 | 222 | 17 | 3 | 863 | 293 | 155 | 179 | 201 | 20 | 15 |
| Alabama: | | | | | | | | | | | | | | | |
| Northern | 169 | 125 | 73 | 17 | 14 | 20 | 1 | 0 | 44 | 17 | 5 | 12 | 9 | 0 | 1 |
| Middle | 78 | 46 | 22 | 8 | 8 | 7 | 0 | 1 | 32 | 9 | 5 | 9 | 9 | 0 | 0 |
| Southern | 142 | 87 | 66 | 11 | 5 | 4 | 1 | 0 | 55 | 27 | 12 | 8 | 7 | 1 | 0 |
| Florida: | | | | | | | | | | | | | | | |
| Northern | 168 | 58 | 28 | 5 | 9 | 15 | 1 | 0 | 110 | 46 | 22 | 28 | 13 | 1 | 0 |
| Middle | 323 | 161 | 49 | 43 | 24 | 39 | 4 | 2 | 162 | 47 | 30 | 46 | 35 | 2 | 2 |
| Southern | 505 | 241 | 99 | 32 | 40 | 65 | 5 | 0 | 264 | 56 | 44 | 53 | 89 | 12 | 10 |
| Georgia: | | | | | | | | | | | | | | | |
| Northern | 259 | 156 | 73 | 15 | 10 | 53 | 5 | 0 | 103 | 51 | 11 | 9 | 26 | 4 | 2 |
| Middle | 100 | 46 | 18 | 9 | 10 | 9 | 0 | 0 | 54 | 26 | 13 | 7 | 8 | 0 | 0 |
| Southern | 122 | 83 | 54 | 11 | 8 | 10 | 0 | 0 | 39 | 14 | 13 | 7 | 5 | 0 | 0 |

Note: This table includes trials conducted by district and appellate judges only. Trials conducted by magistrates are excluded. Includes trials of miscellaneous cases, hearings on temporary restraining orders and preliminary injunctions, hearings on contested motions, and other contested proceedings in which evidence is introduced.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 181-183.

Table 5.39

Median amount of time from filing to disposition of criminal defendants in U.S. District Courts

By method of disposition, and circuit and district, fiscal year 1998

| Circuit and district | Total | | Dismissed | | Plea of guilty | | Court trial | | Jury trial | |
|----------------------|----------------------|--|----------------------|--|----------------------|--|----------------------|--|----------------------|--|
| | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) |
| Total | 67,934 | 5.6 | 6,968 | 5.1 | 56,256 | 5.5 | 1,195 | 0.9 | 3,515 | 10.4 |
| District of Columbia | 553 | 6.1 | 45 | 4.2 | 465 | 6.1 | 2 | B | 41 | 10.8 |
| First Circuit | 1,527 | 9.1 | 152 | 11.8 | 1,230 | 8.6 | 20 | 7.3 | 125 | 14.2 |
| Maine | 159 | 5.6 | 9 | B | 133 | 5.2 | 1 | B | 16 | 8.1 |
| Massachusetts | 535 | 11.0 | 15 | 6.8 | 479 | 10.7 | 6 | B | 35 | 14.3 |
| New Hampshire | 162 | 8.3 | 22 | 7.7 | 134 | 8.3 | 2 | B | 4 | B |
| Rhode Island | 136 | 6.1 | 5 | B | 111 | 5.7 | 3 | B | 17 | 10.5 |
| Puerto Rico | 535 | 11.3 | 101 | 15.0 | 373 | 9.6 | 8 | B | 53 | 19.1 |
| Second Circuit | 4,772 | 9.8 | 196 | 16.1 | 4,258 | 9.3 | 10 | 8.4 | 258 | 17.2 |
| Connecticut | 328 | 10.0 | 16 | 16.5 | 282 | 9.4 | 1 | B | 29 | 16.3 |
| New York: | | | | | | | | | | |
| Northern | 537 | 5.5 | 33 | 3.4 | 473 | 5.1 | 1 | B | 30 | 21.0 |
| Eastern | 1,585 | 9.4 | 55 | 28.8 | 1,465 | 9.0 | 5 | B | 60 | 15.4 |
| Southern | 1,693 | 11.6 | 80 | 15.8 | 1,505 | 11.1 | 1 | B | 107 | 17.6 |
| Western | 459 | 8.4 | 6 | B | 422 | 7.5 | 2 | B | 29 | 19.6 |
| Vermont | 120 | 10.7 | 6 | B | 111 | 10.7 | 0 | X | 3 | B |
| Third Circuit | 3,257 | 6.9 | 322 | 4.1 | 2,742 | 6.8 | 13 | 7.3 | 180 | 12.6 |
| Delaware | 148 | 6.1 | 13 | 3.3 | 130 | 6.1 | 0 | X | 5 | B |
| New Jersey | 1,085 | 6.5 | 167 | 2.7 | 863 | 6.8 | 7 | B | 48 | 13.0 |
| Pennsylvania: | | | | | | | | | | |
| Eastern | 986 | 8.5 | 37 | 13.8 | 860 | 8.2 | 4 | B | 85 | 11.9 |
| Middle | 341 | 7.6 | 33 | 13.1 | 286 | 7.4 | 1 | B | 21 | 16.2 |
| Western | 331 | 7.3 | 32 | 4.3 | 289 | 7.4 | 1 | B | 9 | B |
| Virgin Islands | 366 | 0.3 | 40 | 16.7 | 314 | 0.1 | 0 | X | 12 | 10.1 |
| Fourth Circuit | 7,454 | 5.3 | 1,215 | 3.1 | 5,623 | 5.5 | 188 | 1.6 | 428 | 8.5 |
| Maryland | 647 | 7.1 | 123 | 6.6 | 448 | 6.8 | 2 | B | 74 | 11.6 |
| North Carolina: | | | | | | | | | | |
| Eastern | 840 | 4.5 | 138 | 4.4 | 646 | 4.5 | 26 | 0.6 | 30 | 8.6 |
| Middle | 376 | 5.6 | 32 | 5.4 | 305 | 5.7 | 1 | B | 38 | 5.5 |
| Western | 615 | 11.7 | 49 | 7.1 | 529 | 11.9 | 1 | B | 36 | 12.7 |
| South Carolina | 1,085 | 6.9 | 167 | 4.4 | 877 | 7.0 | 1 | B | 40 | 10.8 |
| Virginia: | | | | | | | | | | |
| Eastern | 2,912 | 3.0 | 632 | 1.3 | 2,018 | 3.4 | 149 | 1.5 | 113 | 6.4 |
| Western | 468 | 8.6 | 32 | 4.7 | 369 | 8.5 | 5 | B | 62 | 10.1 |
| West Virginia: | | | | | | | | | | |
| Northern | 194 | 8.0 | 12 | 10.6 | 165 | 7.7 | 1 | B | 16 | 10.9 |
| Southern | 317 | 5.1 | 30 | 3.3 | 266 | 5.2 | 2 | B | 19 | 4.8 |
| Fifth Circuit | 10,856 | 4.6 | 772 | 4.4 | 9,548 | 4.5 | 101 | 6.2 | 435 | 8.2 |
| Louisiana: | | | | | | | | | | |
| Eastern | 450 | 7.0 | 21 | 8.0 | 410 | 6.9 | 2 | B | 17 | 12.5 |
| Middle | 135 | 5.1 | 9 | B | 116 | 5.1 | 4 | B | 6 | B |
| Western | 419 | 7.5 | 77 | 3.4 | 301 | 7.6 | 10 | 3.9 | 31 | 10.8 |
| Mississippi: | | | | | | | | | | |
| Northern | 167 | 6.0 | 10 | 5.8 | 140 | 5.7 | 0 | X | 17 | 6.3 |
| Southern | 351 | 5.6 | 24 | 8.2 | 296 | 5.4 | 14 | 7.7 | 17 | 6.3 |
| Texas: | | | | | | | | | | |
| Northern | 1,270 | 5.3 | 90 | 5.5 | 1,106 | 5.2 | 6 | B | 68 | 8.8 |
| Eastern | 657 | 6.7 | 85 | 5.2 | 532 | 6.8 | 6 | B | 34 | 9.6 |
| Southern | 3,501 | 3.9 | 229 | 1.8 | 3,126 | 3.9 | 16 | 8.3 | 130 | 7.2 |
| Western | 3,906 | 4.4 | 227 | 6.4 | 3,521 | 4.4 | 43 | 4.3 | 115 | 7.8 |
| Sixth Circuit | 5,083 | 6.8 | 731 | 6.5 | 3,991 | 6.7 | 69 | 4.9 | 292 | 12.9 |
| Kentucky: | | | | | | | | | | |
| Eastern | 439 | 5.7 | 38 | 6.9 | 379 | 5.6 | 0 | X | 22 | 9.5 |
| Western | 558 | 4.3 | 93 | 2.4 | 384 | 4.4 | 44 | 3.8 | 37 | 16.6 |
| Michigan: | | | | | | | | | | |
| Eastern | 1,061 | 9.8 | 254 | 10.0 | 740 | 9.0 | 7 | B | 60 | 16.4 |
| Western | 352 | 7.1 | 41 | 7.5 | 278 | 6.8 | 5 | B | 28 | 11.0 |
| Ohio: | | | | | | | | | | |
| Northern | 850 | 5.8 | 46 | 4.6 | 776 | 5.7 | 2 | B | 26 | 11.9 |
| Southern | 591 | 6.2 | 39 | 5.8 | 531 | 6.1 | 1 | B | 20 | 13.5 |
| Tennessee: | | | | | | | | | | |
| Eastern | 426 | 8.0 | 39 | 8.9 | 360 | 7.9 | 4 | B | 23 | 8.9 |
| Middle | 204 | 9.0 | 21 | 5.8 | 160 | 8.9 | 4 | B | 19 | 11.5 |
| Western | 602 | 7.5 | 160 | 2.1 | 383 | 8.5 | 2 | B | 57 | 10.9 |

See notes at end of table.

Table 5.39

Median amount of time from filing to disposition of criminal defendants in U.S. District Courts

By method of disposition, and circuit and district, fiscal year 1998--Continued

| Circuit and district | Total | | Dismissed | | Plea of guilty | | Court trial | | Jury trial | |
|----------------------|----------------------|--|----------------------|--|----------------------|--|----------------------|--|----------------------|--|
| | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) | Number of defendants | Median amount of time ^a (in months) |
| Seventh Circuit | 2,416 | 7.3 | 227 | 4.3 | 1,930 | 6.9 | 17 | 13.1 | 242 | 15.7 |
| Illinois: | | | | | | | | | | |
| Northern | 704 | 11.9 | 47 | 21.0 | 553 | 10.4 | 4 | B | 100 | 30.6 |
| Central | 275 | 7.2 | 28 | 4.1 | 224 | 6.9 | 0 | X | 23 | 12.2 |
| Southern | 438 | 5.5 | 59 | 0.4 | 357 | 6.0 | 2 | B | 20 | 14.0 |
| Indiana: | | | | | | | | | | |
| Northern | 355 | 7.3 | 42 | 7.1 | 270 | 7.3 | 2 | B | 41 | 11.6 |
| Southern | 258 | 5.9 | 23 | 4.4 | 212 | 5.5 | 1 | B | 22 | 9.1 |
| Wisconsin: | | | | | | | | | | |
| Eastern | 236 | 6.3 | 16 | 3.4 | 193 | 6.1 | 7 | B | 20 | 6.3 |
| Western | 150 | 5.0 | 12 | 2.8 | 121 | 5.0 | 1 | B | 16 | 7.0 |
| Eighth Circuit | 3,692 | 6.5 | 333 | 5.0 | 3,040 | 6.4 | 35 | 5.7 | 284 | 9.4 |
| Arkansas: | | | | | | | | | | |
| Eastern | 371 | 7.3 | 54 | 5.1 | 287 | 7.3 | 5 | B | 25 | 10.7 |
| Western | 152 | 6.3 | 13 | 5.5 | 126 | 6.3 | 5 | B | 8 | B |
| Iowa: | | | | | | | | | | |
| Northern | 191 | 8.1 | 9 | B | 158 | 7.6 | 2 | B | 22 | 15.1 |
| Southern | 285 | 5.9 | 30 | 4.9 | 235 | 5.7 | 0 | X | 20 | 6.4 |
| Minnesota | 431 | 7.5 | 20 | 5.4 | 336 | 7.3 | 5 | B | 70 | 9.6 |
| Missouri: | | | | | | | | | | |
| Eastern | 715 | 5.5 | 71 | 3.6 | 606 | 5.5 | 6 | B | 32 | 7.3 |
| Western | 484 | 8.0 | 29 | 6.1 | 429 | 7.9 | 1 | B | 25 | 11.6 |
| Nebraska | 332 | 8.7 | 37 | 4.8 | 273 | 8.9 | 3 | B | 19 | 12.5 |
| North Dakota | 214 | 4.7 | 19 | 9.0 | 179 | 4.4 | 0 | X | 16 | 7.1 |
| South Dakota | 517 | 5.6 | 51 | 4.8 | 411 | 5.4 | 8 | B | 47 | 8.8 |
| Ninth Circuit | 15,440 | 4.8 | 1,790 | 5.2 | 13,098 | 4.7 | 116 | 12.3 | 436 | 10.9 |
| Alaska | 284 | 4.4 | 70 | 3.6 | 201 | 4.6 | 1 | B | 12 | 8.0 |
| Arizona | 3,041 | 2.9 | 167 | 9.7 | 2,837 | 2.7 | 0 | X | 37 | 11.0 |
| California: | | | | | | | | | | |
| Northern | 861 | 11.4 | 97 | 22.8 | 671 | 8.9 | 59 | 12.3 | 34 | 26.0 |
| Eastern | 1,184 | 6.4 | 120 | 7.5 | 1,022 | 5.9 | 3 | B | 39 | 21.4 |
| Central | 1,716 | 7.3 | 136 | 6.9 | 1,473 | 7.1 | 8 | B | 99 | 12.3 |
| Southern | 3,822 | 3.5 | 199 | 3.2 | 3,568 | 3.4 | 7 | B | 48 | 7.0 |
| Hawaii | 781 | 5.1 | 241 | 17.8 | 524 | 4.6 | 6 | B | 10 | 19.6 |
| Idaho | 169 | 6.5 | 40 | 5.8 | 93 | 5.7 | 5 | B | 31 | 8.6 |
| Montana | 520 | 5.2 | 206 | 2.5 | 280 | 6.3 | 6 | B | 28 | 9.7 |
| Nevada | 629 | 9.0 | 67 | 7.9 | 522 | 8.7 | 4 | B | 36 | 14.4 |
| Oregon | 720 | 5.8 | 72 | 5.8 | 611 | 5.6 | 9 | B | 28 | 13.6 |
| Washington: | | | | | | | | | | |
| Eastern | 348 | 5.0 | 49 | 4.3 | 287 | 5.0 | 2 | B | 10 | 8.6 |
| Western | 1,016 | 4.2 | 275 | 4.6 | 722 | 4.1 | 2 | B | 17 | 6.7 |
| Guam | 308 | 5.0 | 35 | 2.4 | 264 | 5.1 | 4 | B | 5 | B |
| Northern Marianas | 41 | 4.4 | 16 | 2.2 | 23 | 4.5 | 0 | X | 2 | B |
| Tenth Circuit | 3,835 | 5.6 | 575 | 4.8 | 3,078 | 5.5 | 28 | 3.9 | 154 | 9.6 |
| Colorado | 564 | 5.4 | 100 | 5.1 | 434 | 5.4 | 17 | 4.2 | 13 | 17.9 |
| Kansas | 518 | 6.8 | 64 | 4.5 | 417 | 6.9 | 5 | B | 32 | 8.9 |
| New Mexico | 1,174 | 5.9 | 203 | 8.5 | 933 | 5.7 | 1 | B | 37 | 10.3 |
| Oklahoma: | | | | | | | | | | |
| Northern | 237 | 6.9 | 39 | 6.6 | 186 | 6.7 | 2 | B | 10 | 9.4 |
| Eastern | 83 | 6.1 | 14 | 1.8 | 64 | 6.4 | 0 | X | 5 | B |
| Western | 549 | 2.9 | 98 | 0.9 | 427 | 3.3 | 1 | B | 23 | 6.0 |
| Utah | 550 | 5.1 | 52 | 8.9 | 476 | 4.8 | 0 | X | 22 | 13.7 |
| Wyoming | 160 | 5.5 | 5 | B | 141 | 5.2 | 2 | B | 12 | 7.3 |
| Eleventh Circuit | 9,099 | 5.3 | 610 | 8.4 | 7,253 | 5.2 | 596 | 0.1 | 640 | 8.9 |
| Alabama: | | | | | | | | | | |
| Northern | 416 | 4.3 | 53 | 2.2 | 326 | 4.3 | 4 | B | 33 | 7.1 |
| Middle | 300 | 5.5 | 35 | 3.3 | 224 | 5.5 | 8 | B | 33 | 7.8 |
| Southern | 476 | 8.4 | 100 | 34.7 | 335 | 7.6 | 2 | B | 39 | 7.6 |
| Florida: | | | | | | | | | | |
| Northern | 475 | 5.9 | 11 | 6.1 | 377 | 5.6 | 8 | B | 79 | 6.3 |
| Middle | 1,690 | 6.4 | 92 | 9.0 | 1,457 | 6.1 | 12 | 7.4 | 129 | 9.6 |
| Southern | 1,973 | 6.9 | 76 | 8.0 | 1,688 | 6.4 | 10 | 6.9 | 199 | 11.4 |
| Georgia: | | | | | | | | | | |
| Northern | 905 | 6.0 | 86 | 9.3 | 769 | 5.4 | 19 | 11.4 | 31 | 8.7 |
| Middle | 2,404 | 0.1 | 105 | 7.3 | 1,728 | 0.1 | 529 | 0.1 | 42 | 11.9 |
| Southern | 460 | 5.1 | 52 | 6.2 | 349 | 4.7 | 4 | B | 55 | 8.4 |

Note: Defendants charged in two or more cases that were terminated during the year are reported only once. The data exclude 758 transfers and 1,475 terminations for defendants charged in more than one case during the year. The median is the number that marks the point below which and above which 50% of all cases fall.

^aComputed on 10 or more defendants only.

Source: Administrative Office of the United States Courts, *Annual Report of the Director, 1998* (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 235-237.

Table 5.40

Felony convictions in State courtsBy offense, United States, 1996^a

| Most serious conviction offense | Felony convictions | |
|--|--------------------|---------|
| | Number | Percent |
| All offenses | 997,970 | 100% |
| Violent offenses | 167,824 | 16.8 |
| Murder, nonnegligent manslaughter ^b | 11,430 | 1.1 |
| Murder | 8,564 | 0.9 |
| Nonnegligent manslaughter | 2,866 | 0.3 |
| Rape, sexual assault | 30,057 | 3.0 |
| Rape | 13,559 | 1.4 |
| Other sexual assault | 16,498 | 1.7 |
| Robbery | 42,831 | 4.3 |
| Armed | 12,041 | 1.2 |
| Unarmed | 12,155 | 1.2 |
| Unspecified | 18,635 | 1.9 |
| Aggravated assault | 69,522 | 7.0 |
| Other violent ^c | 13,984 | 1.4 |
| Property offenses | 298,631 | 29.9 |
| Burglary | 93,197 | 9.3 |
| Residential | 10,605 | 1.1 |
| Nonresidential | 18,220 | 1.8 |
| Unspecified | 64,371 | 6.5 |
| Larceny ^d | 123,201 | 12.3 |
| Motor vehicle theft | 17,794 | 1.8 |
| Other theft | 105,406 | 10.6 |
| Fraud, forgery, embezzlement | 82,233 | 8.2 |
| Fraud, embezzlement | 41,480 | 4.2 |
| Forgery | 40,753 | 4.1 |
| Drug offenses | 347,774 | 34.8 |
| Possession | 135,270 | 13.6 |
| Trafficking | 212,504 | 21.3 |
| Marijuana | 20,618 | 2.1 |
| Other | 68,985 | 6.9 |
| Unspecified | 122,901 | 12.3 |
| Weapons offenses | 33,337 | 3.3 |
| Other offenses ^e | 150,404 | 15.1 |

Note: These data are from the National Judicial Reporting Program (NJRP), a biennial survey of State felony courts. Data were collected by the U.S. Bureau of the Census for the U.S. Department of Justice, Bureau of Justice Statistics. The 1996 NJRP survey was based on a sample of 344 counties selected to be nationally representative. The 344 counties included 98 that had been in the NJRP sample in the 4 previous surveys (1988, 1990, 1992, 1994). The sample included the District of Columbia and at least one county from every State except, by chance, Delaware, Montana, and Wyoming. Only offenses that State penal codes define as felonies are included. Excluded are Federal courts and State or local courts that did not adjudicate adult felony cases. Data specifying the conviction offense were available for the estimated total of 997,970 convicted felons. These data are estimates derived from a sample and therefore subject to sampling variation.

For survey sampling procedures and definitions of terms, see Appendix 12.

^aDetail may not add to total because of rounding.

^bIn a small number of cases where it was unclear whether the offense was murder or manslaughter, the case was classified under manslaughter.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dIncludes a small number of convictions with unspecified offenses.

^eComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 2, Table 1.

Table 5.41

Felony offenders convicted in State courtsBy offense, sex, race, and age, United States, 1996^a

| Percent of convicted felons who were: | | | | | | | | | | | | | | |
|---------------------------------------|-------|------|--------|-------|-------|-------|----------------|----------------|----------------|----------------|----------------|--------------------|-----------------|-------------------|
| Most serious conviction offense | Total | Sex | | Race | | | Age | | | | | | Mean (in years) | Median (in years) |
| | | Male | Female | White | Black | Other | 13 to 19 years | 20 to 29 years | 30 to 39 years | 40 to 49 years | 50 to 59 years | 60 years and older | | |
| All offenses | 100% | 84% | 16% | 54% | 44% | 2% | 9% | 41% | 33% | 14% | 3% | 1% | 31 | 30 |
| Violent offenses | 100 | 92 | 8 | 52 | 46 | 2 | 12 | 42 | 28 | 12 | 4 | 2 | 30 | 28 |
| Murder, nonnegligent manslaughter | 100 | 91 | 9 | 44 | 54 | 2 | 14 | 50 | 21 | 10 | 3 | 2 | 29 | 25 |
| Rape, sexual assault | 100 | 99 | 1 | 70 | 27 | 3 | 6 | 32 | 31 | 18 | 8 | 5 | 35 | 33 |
| Robbery | 100 | 93 | 7 | 32 | 66 | 2 | 23 | 48 | 23 | 6 | 1 | (b) | 26 | 24 |
| Aggravated assault | 100 | 89 | 11 | 55 | 43 | 2 | 10 | 43 | 29 | 13 | 3 | 1 | 31 | 29 |
| Other violent ^c | 100 | 90 | 10 | 69 | 29 | 2 | 6 | 40 | 32 | 15 | 4 | 2 | 32 | 31 |
| Property offenses | 100 | 77 | 23 | 59 | 39 | 2 | 11 | 42 | 32 | 13 | 2 | 1 | 30 | 29 |
| Burglary | 100 | 93 | 7 | 62 | 36 | 2 | 17 | 44 | 28 | 9 | 1 | (b) | 28 | 26 |
| Larceny, motor vehicle theft | 100 | 77 | 23 | 56 | 41 | 3 | 11 | 40 | 32 | 13 | 3 | 1 | 30 | 29 |
| Fraud, forgery, embezzlement | 100 | 59 | 41 | 60 | 38 | 1 | 5 | 41 | 35 | 16 | 3 | 1 | 32 | 31 |
| Drug offenses | 100 | 83 | 17 | 45 | 53 | 2 | 6 | 40 | 35 | 15 | 3 | 1 | 31 | 30 |
| Possession | 100 | 81 | 19 | 49 | 49 | 2 | 4 | 36 | 40 | 17 | 3 | 1 | 32 | 32 |
| Trafficking | 100 | 84 | 16 | 43 | 56 | 1 | 7 | 44 | 32 | 14 | 3 | 1 | 31 | 29 |
| Weapons offenses | 100 | 96 | 4 | 41 | 58 | 1 | 12 | 46 | 26 | 11 | 3 | 1 | 30 | 27 |
| Other offenses ^d | 100 | 89 | 11 | 69 | 29 | 2 | 7 | 36 | 36 | 16 | 4 | 1 | 32 | 31 |

Note: See Note, table 5.40. Data on sex were available for 782,079 of the estimated total of 997,970 convicted felons; figures on race for 602,734; and figures on age for 736,117. For survey sampling procedures and definitions of terms, see Appendix 12.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 5, Table 5. Table adapted by SOURCEBOOK staff.

^aDetail may not add to total because of rounding.

^bLess than 0.5%.

^cIncludes offenses such as negligent manslaughter and kidnapping.

^dComposed of nonviolent offenses such as receiving stolen property and vandalism.

Table 5.42

Felony convictions in State courtsBy offense and method of conviction, United States, 1996^a

| Most serious conviction offense | Trial | | | | | | | |
|-----------------------------------|--------|---------|--------|---------|--------|---------|-------------|---------|
| | Total | | Jury | | Bench | | Guilty plea | |
| | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| All offenses | 92,015 | 9% | 37,541 | 4% | 54,474 | 5% | 905,957 | 91% |
| Violent offenses | 29,319 | 17 | 17,671 | 11 | 11,648 | 7 | 138,508 | 83 |
| Murder, nonnegligent manslaughter | 5,298 | 46 | 4,519 | 40 | 780 | 7 | 6,133 | 54 |
| Rape, sexual assault | 5,568 | 19 | 3,414 | 11 | 2,154 | 7 | 24,489 | 81 |
| Robbery | 6,985 | 16 | 4,128 | 10 | 2,858 | 7 | 35,844 | 84 |
| Aggravated assault | 9,390 | 14 | 4,653 | 7 | 4,737 | 7 | 60,134 | 86 |
| Other violent ^b | 2,077 | 15 | 958 | 7 | 1,119 | 8 | 11,908 | 85 |
| Property offenses | 19,380 | 6 | 5,536 | 2 | 13,844 | 5 | 279,251 | 94 |
| Burglary | 7,282 | 8 | 2,705 | 3 | 4,577 | 5 | 85,915 | 92 |
| Larceny, motor vehicle theft | 7,327 | 6 | 2,155 | 2 | 5,172 | 4 | 115,874 | 94 |
| Fraud, forgery, embezzlement | 4,771 | 6 | 676 | 1 | 4,095 | 5 | 77,462 | 94 |
| Drug offenses | 28,587 | 8 | 9,843 | 3 | 18,744 | 5 | 319,185 | 92 |
| Possession | 12,228 | 9 | 2,908 | 2 | 9,321 | 7 | 123,040 | 91 |
| Trafficking | 16,359 | 8 | 6,935 | 3 | 9,424 | 4 | 196,145 | 92 |
| Weapons offenses | 2,880 | 9 | 1,217 | 4 | 1,663 | 5 | 30,456 | 91 |
| Other offenses ^c | 11,849 | 8 | 3,274 | 2 | 8,575 | 6 | 138,557 | 92 |

Note: See Note, table 5.40. Data on type of conviction were available for 629,593 of the estimated total of 997,970 convicted felons. Table figures include estimates for cases missing a designation on type of conviction. For survey sampling procedures and definitions of terms, see Appendix 12.

^aDetail may not add to total because of rounding.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 7, Table 9; p. 8, Table 10. Table adapted by SOURCEBOOK staff.

Table 5.43

Felony sentences imposed by State courtsBy offense, United States, 1996^a

| Most serious conviction offense | Total | Percent of felons sentenced to: | | | |
|-----------------------------------|-------|---------------------------------|---------------|------|--------------------|
| | | Total | Incarceration | Jail | Straight probation |
| All offenses | 100% | 69% | 38% | 31% | 31% |
| Violent offenses | 100 | 79 | 57 | 22 | 21 |
| Murder, nonnegligent manslaughter | 100 | 95 | 92 | 3 | 5 |
| Rape, sexual assault | 100 | 79 | 63 | 16 | 21 |
| Robbery | 100 | 87 | 73 | 14 | 13 |
| Aggravated assault | 100 | 72 | 42 | 30 | 28 |
| Other violent ^b | 100 | 73 | 38 | 34 | 27 |
| Property offenses | 100 | 62 | 34 | 28 | 38 |
| Burglary | 100 | 71 | 45 | 26 | 29 |
| Larceny, motor vehicle theft | 100 | 63 | 31 | 32 | 37 |
| Fraud, forgery, embezzlement | 100 | 50 | 26 | 24 | 50 |
| Drug offenses | 100 | 72 | 35 | 37 | 28 |
| Possession | 100 | 70 | 29 | 41 | 30 |
| Trafficking | 100 | 73 | 39 | 33 | 27 |
| Weapons offenses | 100 | 67 | 40 | 27 | 33 |
| Other offenses ^c | 100 | 63 | 31 | 32 | 37 |

Note: See Note, table 5.40. Data on sentence type were available for 997,906 of the estimated total of 997,970 convicted felons. For persons receiving a combination of sentences, the sentence designation came from the most serious penalty imposed--prison being the most serious, followed by jail, then probation. "Prison" includes sentences to death. "Straight probation" includes probation sentences not combined with a term of incarceration in prison or jail. For survey sampling procedures and definitions of terms, see Appendix 12.

^aDetail may not add to total because of rounding.

^bIncludes offenses such as negligent manslaughter and kidnapping.

^cComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 2, Table 2.

Table 5.44

Average and median maximum length of felony sentences imposed by State courts

By offense, United States, 1996

| (In months) | | | | |
|-----------------------------------|--|---------------|------|--------------------|
| Most serious conviction offense | Maximum sentence length for felons sentenced to: | | | |
| | Total | Incarceration | Jail | Straight probation |
| <u>Average sentence</u> | | | | |
| All offenses | 38 | 62 | 6 | 41 |
| Violent offenses | 78 | 105 | 7 | 48 |
| Murder, nonnegligent manslaughter | 249 | 257 | 8 | 72 |
| Rape, sexual assault | 98 | 120 | 8 | 66 |
| Robbery | 87 | 101 | 10 | 52 |
| Aggravated assault | 43 | 69 | 6 | 41 |
| Other violent ^a | 34 | 59 | 6 | 44 |
| Property offenses | 30 | 49 | 6 | 40 |
| Burglary | 41 | 60 | 6 | 46 |
| Larceny, motor vehicle theft | 22 | 40 | 6 | 38 |
| Fraud, forgery, embezzlement | 24 | 43 | 5 | 39 |
| Drug offenses | 28 | 51 | 6 | 42 |
| Possession | 20 | 41 | 5 | 37 |
| Trafficking | 34 | 55 | 7 | 45 |
| Weapons offenses | 29 | 45 | 5 | 35 |
| Other offenses ^b | 24 | 42 | 6 | 40 |
| <u>Median sentence</u> | | | | |
| All offenses | 16 | 36 | 6 | 36 |
| Violent offenses | 38 | 60 | 6 | 36 |
| Murder, nonnegligent manslaughter | 288 | 300 | 8 | 60 |
| Rape, sexual assault | 60 | 72 | 6 | 60 |
| Robbery | 60 | 72 | 9 | 60 |
| Aggravated assault | 23 | 48 | 6 | 36 |
| Other violent ^a | 12 | 36 | 6 | 36 |
| Property offenses | 13 | 36 | 6 | 36 |
| Burglary | 24 | 48 | 6 | 36 |
| Larceny, motor vehicle theft | 12 | 24 | 6 | 36 |
| Fraud, forgery, embezzlement | 12 | 30 | 4 | 36 |
| Drug offenses | 12 | 36 | 6 | 36 |
| Possession | 9 | 24 | 5 | 36 |
| Trafficking | 16 | 36 | 6 | 36 |
| Weapons offenses | 16 | 30 | 4 | 36 |
| Other offenses ^b | 12 | 32 | 5 | 36 |

Note: See Notes, tables 5.40 and 5.43. The median sentence is the sentence length that marks the point below which and above which 50% of all sentence lengths fall. Averages exclude sentences to death or to life in prison. Sentence length data were available for 997,906 incarceration and probation sentences. For survey sampling procedures and definitions of terms, see Appendix 12.

^aIncludes offenses such as negligent manslaughter and kidnapping.

^bComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 3.

Table 5.45

Felons sentenced to additional penalties by State courts

By offense and type of penalty, United States, 1996

| Most serious conviction offense | Fine | Restitution | Treatment | Community service | Other |
|-----------------------------------|------|-------------|-----------|-------------------|-------|
| All offenses | 20% | 14% | 6% | 6% | 3% |
| Violent offenses | 14 | 12 | 5 | 4 | 3 |
| Murder, nonnegligent manslaughter | 8 | 9 | 1 | 1 | 2 |
| Rape, sexual assault | 13 | 9 | 8 | 3 | 4 |
| Robbery | 8 | 11 | 3 | 2 | 2 |
| Aggravated assault | 19 | 14 | 5 | 6 | 4 |
| Other violent ^a | 18 | 13 | 6 | 6 | 4 |
| Property offenses | 20 | 25 | 4 | 7 | 4 |
| Burglary | 17 | 21 | 4 | 6 | 3 |
| Larceny, motor vehicle theft | 20 | 22 | 5 | 6 | 5 |
| Fraud, forgery, embezzlement | 24 | 32 | 4 | 10 | 3 |
| Drug offenses | 22 | 7 | 7 | 6 | 2 |
| Possession | 19 | 7 | 10 | 6 | 3 |
| Trafficking | 23 | 6 | 5 | 6 | 2 |
| Weapons offenses | 16 | 6 | 3 | 4 | 2 |
| Other offenses ^b | 25 | 12 | 7 | 6 | 4 |

Note: See Note, table 5.40. Additional penalties are penalties imposed in addition to the primary penalty of jail, prison, or probation. Examples of penalties in the category "other" are community control, house arrest, work release, drug testing, and loss of driver's license. Where the data indicated affirmatively that a particular additional penalty was imposed, the case was coded accordingly. Where the data did not indicate affirmatively or negatively, the case was treated as not having an additional penalty. These procedures provide a conservative estimate of the prevalence of additional penalties. Persons receiving more than one type of additional penalty appear under more than one penalty heading. Data on additional penalties were available for all 997,970 estimated total cases. For survey sampling procedures and definitions of terms, see Appendix 12.

^aIncludes offenses such as negligent manslaughter and kidnapping.

^bComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 9.

Table 5.46

Average and median number of days between arrest and sentencing for felony cases disposed by State courts

By offense and method of conviction, United States, 1996

| (In days) | Number of days between arrest and sentencing for cases disposed by: | | | | |
|-----------------------------------|---|-------|------|-------|-------------|
| Most serious conviction offense | Total | Trial | | | Guilty plea |
| | | Total | Jury | Bench | |
| <u>Average number of days</u> | | | | | |
| All offenses | 219 | 267 | 355 | 202 | 235 |
| Violent offenses | 252 | 321 | 382 | 215 | 259 |
| Murder, nonnegligent manslaughter | 396 | 430 | 447 | 268 | 360 |
| Rape, sexual assault | 289 | 320 | 370 | 248 | 283 |
| Robbery | 239 | 290 | 333 | 202 | 238 |
| Aggravated assault | 228 | 291 | 360 | 209 | 252 |
| Other violent ^a | 218 | 265 | 436 | 175 | 252 |
| Property offenses | 213 | 234 | 334 | 196 | 231 |
| Burglary | 211 | 247 | 319 | 197 | 234 |
| Larceny, motor vehicle theft | 205 | 240 | 346 | 203 | 230 |
| Fraud, forgery, embezzlement | 227 | 213 | 363 | 188 | 231 |
| Drug offenses | 209 | 259 | 326 | 212 | 229 |
| Possession | 204 | 216 | 312 | 181 | 221 |
| Trafficking | 211 | 285 | 330 | 238 | 232 |
| Weapons offenses | 217 | 276 | 372 | 188 | 236 |
| Other offenses ^b | 219 | 224 | 323 | 187 | 230 |
| <u>Median number of days</u> | | | | | |
| All offenses | 149 | 211 | 293 | 154 | 164 |
| Violent offenses | 184 | 263 | 315 | 181 | 188 |
| Murder, nonnegligent manslaughter | 327 | 363 | 377 | 191 | 282 |
| Rape, sexual assault | 220 | 279 | 307 | 192 | 209 |
| Robbery | 176 | 239 | 284 | 188 | 174 |
| Aggravated assault | 165 | 247 | 295 | 181 | 178 |
| Other violent ^a | 161 | 197 | 306 | 148 | 194 |
| Property offenses | 142 | 182 | 281 | 154 | 156 |
| Burglary | 139 | 202 | 267 | 165 | 158 |
| Larceny, motor vehicle theft | 135 | 193 | 287 | 164 | 153 |
| Fraud, forgery, embezzlement | 154 | 147 | 342 | 123 | 156 |
| Drug offenses | 136 | 202 | 264 | 155 | 159 |
| Possession | 129 | 170 | 262 | 142 | 163 |
| Trafficking | 139 | 227 | 264 | 168 | 157 |
| Weapons offenses | 148 | 232 | 300 | 163 | 161 |
| Other offenses ^b | 157 | 162 | 255 | 128 | 167 |

Note: See Note, table 5.40. The median marks the point below which and above which 50% of all cases fall. The grand total column includes all cases, whether or not conviction type was known. Data on time to dispose of felonies were available for 521,919 of the estimated total of 997,970 convicted felons. For survey sampling procedures and definitions of terms, see Appendix 12.

^aIncludes offenses such as negligent manslaughter and kidnapping.

^bComposed of nonviolent offenses such as receiving stolen property and vandalism.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Sentences in State Courts, 1996*, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), p. 8, Table 11.

Table 5.47

Arrest offense of felony defendants in the 75 largest countiesUnited States, 1994^a

| Most serious arrest charge | Felony defendants | |
|----------------------------|-------------------|---------|
| | Number | Percent |
| All offenses | 52,610 | 100.0% |
| Violent offenses | 13,512 | 25.7 |
| Murder | 521 | 1.0 |
| Rape | 543 | 1.0 |
| Robbery | 4,081 | 7.8 |
| Assault | 6,128 | 11.6 |
| Other violent | 2,239 | 4.3 |
| Property offenses | 16,346 | 31.1 |
| Burglary | 4,629 | 8.8 |
| Theft | 5,893 | 11.2 |
| Other property | 5,824 | 11.1 |
| Drug offenses | 18,182 | 34.6 |
| Trafficking | 7,672 | 14.6 |
| Other drug | 10,510 | 20.0 |
| Public-order offenses | 4,570 | 8.7 |
| Weapons | 2,021 | 3.8 |
| Driving-related | 1,281 | 2.4 |
| Other public-order | 1,267 | 2.4 |

Note: These data were collected by the Pretrial Services Resource Center for the U.S. Department of Justice, Bureau of Justice Statistics as part of its State Court Processing Statistics program. The data are based on a sample of 39 of the 75 most populous counties in the United States and a sample of felony defendants in each of the 39 counties. The sample was designed and selected by the U.S. Bureau of the Census. Information is based on 14,691 sample felony cases representing 53,099 weighted cases filed in the 39 counties in May 1994. These data are estimates derived from a sample and therefore are subject to sampling variation.

Data for the specific arrest charge were available for 99% of all cases. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 2.

Table 5.48

Characteristics of felony defendants in the 75 largest countiesBy arrest charge, United States, 1994^a

| Most serious arrest charge | Sex | | | | Race | | | | | Age | | | | | | | | |
|----------------------------|----------------------|-------|------|--------|----------------------|-------|-------|-------|-------|----------------------|-------|----------------|----------|----------|----------|----------|----------|--------------------|
| | Number of defendants | Total | Male | Female | Number of defendants | Total | White | Black | Other | Number of defendants | Total | Under 18 years | 18 to 20 | 21 to 24 | 25 to 29 | 30 to 34 | 35 to 39 | 40 years and older |
| All offenses | 52,343 | 100% | 85% | 15% | 44,987 | 100% | 56% | 42% | 3% | 52,377 | 100% | 5% | 16% | 18% | 19% | 17% | 12% | 14% |
| Violent offenses | 13,417 | 100 | 88 | 12 | 11,778 | 100 | 59 | 38 | 3 | 13,403 | 100 | 9 | 17 | 17 | 18 | 15 | 11 | 13 |
| Murder | 521 | 100 | 94 | 6 | 476 | 100 | 64 | 32 | 4 | 521 | 100 | 16 | 26 | 24 | 9 | 9 | 6 | 10 |
| Rape | 532 | 100 | 97 | 3 | 497 | 100 | 54 | 46 | 1 | 535 | 100 | 5 | 11 | 11 | 15 | 17 | 23 | 17 |
| Robbery | 4,063 | 100 | 93 | 7 | 3,458 | 100 | 74 | 24 | 2 | 4,041 | 100 | 15 | 23 | 17 | 18 | 13 | 8 | 6 |
| Assault | 6,091 | 100 | 84 | 16 | 5,467 | 100 | 54 | 43 | 3 | 6,085 | 100 | 6 | 16 | 18 | 18 | 16 | 11 | 14 |
| Other violent | 2,209 | 100 | 90 | 10 | 1,881 | 100 | 44 | 53 | 3 | 2,220 | 100 | 4 | 11 | 15 | 19 | 18 | 12 | 21 |
| Property offenses | 16,259 | 100 | 81 | 19 | 14,471 | 100 | 48 | 49 | 3 | 16,267 | 100 | 4 | 16 | 18 | 19 | 17 | 13 | 14 |
| Burglary | 4,609 | 100 | 91 | 9 | 4,060 | 100 | 47 | 50 | 3 | 4,623 | 100 | 4 | 19 | 19 | 19 | 17 | 12 | 10 |
| Theft | 5,867 | 100 | 77 | 23 | 5,390 | 100 | 46 | 50 | 4 | 5,859 | 100 | 3 | 16 | 18 | 19 | 16 | 12 | 16 |
| Other property | 5,783 | 100 | 77 | 23 | 5,020 | 100 | 51 | 46 | 3 | 5,786 | 100 | 4 | 14 | 16 | 19 | 19 | 13 | 14 |
| Drug offenses | 18,115 | 100 | 85 | 15 | 15,039 | 100 | 62 | 37 | 2 | 18,146 | 100 | 3 | 15 | 18 | 18 | 18 | 14 | 14 |
| Trafficking | 7,642 | 100 | 87 | 13 | 6,470 | 100 | 62 | 36 | 3 | 7,663 | 100 | 2 | 17 | 21 | 19 | 16 | 12 | 12 |
| Other drug | 10,473 | 100 | 83 | 17 | 8,569 | 100 | 62 | 37 | 1 | 10,483 | 100 | 3 | 13 | 16 | 18 | 20 | 15 | 14 |
| Public-order offenses | 4,552 | 100 | 91 | 9 | 3,699 | 100 | 52 | 46 | 2 | 4,560 | 100 | 4 | 13 | 18 | 20 | 16 | 12 | 16 |
| Weapons | 2,013 | 100 | 95 | 5 | 1,729 | 100 | 71 | 27 | 2 | 2,021 | 100 | 6 | 20 | 23 | 19 | 12 | 10 | 9 |
| Driving-related | 1,281 | 100 | 93 | 7 | 884 | 100 | 24 | 75 | 1 | 1,281 | 100 | (b) | 5 | 12 | 24 | 23 | 15 | 21 |
| Other public-order | 1,257 | 100 | 83 | 17 | 1,086 | 100 | 44 | 52 | 3 | 1,258 | 100 | 4 | 10 | 17 | 18 | 17 | 12 | 22 |

Note: See Note, table 5.47. Data on sex of defendants were available for 99% of all cases; data on race, 86%; and data on age, 99.5%. Without consideration of Hispanic origin, U.S. Bureau of the Census data for 1994 indicate that the racial distribution of the population of the 75 largest counties was 75% white, 17% black, and 7% other races. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

^bLess than 0.5%.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 4, Table 3 and p. 5, Table 5. Table adapted by SOURCEBOOK staff.

Table 5.49

Prior felony convictions of felony defendants in the 75 largest countiesBy arrest charge, United States, 1994^a

| Percent of felony defendants | | | | | | | | | | |
|---------------------------------------|-------------------------|-------|---------------------------------|--------------------|-------------------------|------------------------------|------------------------------------|--------|--------|------------|
| Most serious current arrest charge | Number of defendants | Total | Without prior felony conviction | | | With prior felony conviction | | | | |
| | | | Total | Non-felony only | No prior convictions | Total | Number of prior felony convictions | | | |
| | | | | | | | 1 | 2 to 4 | 5 to 9 | 10 or more |
| All offenses | 50,437 | 100% | 62% | 17% | 45% | 38% | 15% | 17% | 4% | 1% |
| Violent offenses | 12,912 | 100 | 66 | 17 | 50 | 34 | 14 | 15 | 4 | 1 |
| Murder | 502 | 100 | 62 | 11 | 50 | 38 | 16 | 17 | 4 | 1 |
| Rape | 516 | 100 | 71 | 14 | 57 | 29 | 14 | 14 | 1 | 0 |
| Robbery | 3,950 | 100 | 61 | 16 | 44 | 39 | 14 | 18 | 5 | 2 |
| Assault | 5,850 | 100 | 68 | 16 | 52 | 32 | 13 | 13 | 4 | 1 |
| Other violent | 2,094 | 100 | 70 | 19 | 51 | 30 | 14 | 12 | 3 | (b) |
| Property offenses | 15,644 | 100 | 61 | 16 | 45 | 39 | 13 | 18 | 6 | 2 |
| Burglary | 4,458 | 100 | 53 | 16 | 37 | 47 | 16 | 21 | 7 | 2 |
| Theft | 5,634 | 100 | 60 | 16 | 44 | 40 | 12 | 19 | 7 | 2 |
| Other property | 5,552 | 100 | 69 | 16 | 52 | 31 | 12 | 15 | 3 | 1 |
| Drug offenses | 17,572 | 100 | 61 | 17 | 43 | 39 | 17 | 18 | 4 | 1 |
| Trafficking | 7,354 | 100 | 63 | 19 | 43 | 37 | 17 | 16 | 3 | 1 |
| Other drug | 10,218 | 100 | 59 | 17 | 42 | 41 | 17 | 19 | 4 | 1 |
| Public-order offenses | 4,309 | 100 | 60 | 21 | 39 | 40 | 18 | 17 | 4 | 1 |
| Weapons | 1,969 | 100 | 57 | 15 | 42 | 43 | 19 | 20 | 3 | 1 |
| Driving-related | 1,165 | 100 | 66 | 31 | 34 | 34 | 17 | 11 | 5 | (b) |
| Other public-order | 1,175 | 100 | 60 | 23 | 37 | 40 | 16 | 19 | 4 | (b) |

Note: See Note, table 5.47. Data on number of prior felony convictions were available for 96% of all cases. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 13.

^aDetail may not add to total because of rounding.

^bLess than 0.5%.

Table 5.50

Felony defendants released before or detained until case disposition in the 75 largest countiesBy arrest charge, United States, 1994^a

| Most serious arrest charge | Number of defendants | Percent of felony defendants | | |
|----------------------------|----------------------|------------------------------|----------------------------------|---------------------------------|
| | | Total | Released before case disposition | Detained until case disposition |
| All offenses | 50,241 | 100% | 62% | 38% |
| Violent offenses | 12,897 | 100 | 55 | 45 |
| Murder | 500 | 100 | 21 | 79 |
| Rape | 525 | 100 | 53 | 47 |
| Robbery | 3,842 | 100 | 43 | 57 |
| Assault | 5,858 | 100 | 66 | 34 |
| Other violent | 2,172 | 100 | 56 | 44 |
| Property offenses | 15,574 | 100 | 64 | 36 |
| Burglary | 4,417 | 100 | 47 | 53 |
| Theft | 5,720 | 100 | 68 | 32 |
| Other property | 5,436 | 100 | 74 | 26 |
| Drug offenses | 17,491 | 100 | 66 | 34 |
| Trafficking | 7,468 | 100 | 61 | 39 |
| Other drug | 10,023 | 100 | 70 | 30 |
| Public-order offenses | 4,279 | 100 | 64 | 36 |
| Weapons | 1,967 | 100 | 64 | 36 |
| Driving-related | 1,210 | 100 | 70 | 30 |
| Other public-order | 1,101 | 100 | 56 | 44 |

Note: See Note, table 5.47. Data on detention/release outcome were available for 95% of all cases. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 16.

Table 5.51

Type of pretrial release or detention of felony defendants in the 75 largest countiesBy arrest charge, United States, 1994^a

| Percent of felony defendants | | | | | | | | | | | | | |
|------------------------------|----------------------------------|-------------|--------------|----------------|---------------|----------------------|--------------|-------------|-----------|-----|---------------------------------|--------------|-------------|
| Most serious arrest charge | Released before case disposition | | | | | | | | | | Detained until case disposition | | |
| | Financial release | | | | | Nonfinancial release | | | | | Emergency release | Held on bail | Denied bail |
| | Total financial | Surety bond | Deposit bond | Full cash bond | Property bond | Total non-financial | Recognizance | Conditional | Unsecured | | | | |
| All offenses | 25% | 15% | 6% | 3% | 1% | 36% | 26% | 7% | 4% | 1% | 31% | 7% | |
| Violent offenses | 26 | 17 | 5 | 3 | 1 | 29 | 24 | 4 | 1 | (b) | 36 | 9 | |
| Murder | 14 | 8 | 3 | 0 | 3 | 8 | 6 | 1 | 0 | 0 | 35 | 43 | |
| Rape | 25 | 11 | 6 | 4 | 4 | 27 | 17 | 8 | 2 | 0 | 38 | 10 | |
| Robbery | 17 | 11 | 3 | 2 | 1 | 26 | 23 | 2 | 1 | (b) | 46 | 10 | |
| Assault | 32 | 20 | 7 | 5 | 1 | 33 | 28 | 4 | 1 | (b) | 28 | 7 | |
| Other violent | 30 | 22 | 5 | 3 | 1 | 26 | 18 | 7 | 1 | 0 | 38 | 5 | |
| Property offenses | 24 | 14 | 5 | 3 | 2 | 40 | 28 | 7 | 4 | 1 | 30 | 6 | |
| Burglary | 19 | 12 | 4 | 2 | 1 | 27 | 17 | 7 | 2 | 1 | 45 | 8 | |
| Theft | 29 | 17 | 5 | 5 | 2 | 39 | 23 | 8 | 7 | 1 | 27 | 5 | |
| Other property | 24 | 14 | 6 | 3 | 2 | 50 | 41 | 6 | 2 | (b) | 20 | 6 | |
| Drug offenses | 24 | 15 | 5 | 2 | 1 | 39 | 26 | 8 | 6 | 3 | 28 | 6 | |
| Trafficking | 30 | 20 | 5 | 3 | 1 | 30 | 18 | 7 | 4 | 1 | 35 | 4 | |
| Other drug | 20 | 12 | 5 | 1 | 1 | 46 | 31 | 8 | 7 | 4 | 24 | 7 | |
| Public-order offenses | 28 | 15 | 9 | 4 | 1 | 35 | 28 | 6 | (b) | 1 | 28 | 8 | |
| Weapons | 33 | 17 | 11 | 3 | 2 | 29 | 23 | 6 | 1 | 2 | 30 | 6 | |
| Driving-related | 28 | 18 | 6 | 4 | 1 | 42 | 35 | 7 | 0 | 0 | 26 | 3 | |
| Other public-order | 22 | 10 | 7 | 4 | 1 | 34 | 27 | 7 | 0 | 0 | 28 | 16 | |

Note: See Note, table 5.47. Data on type of pretrial release or detention were available for 91% of all cases. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 17.

^aDetail may not add to total because of rounding.

^bLess than 0.5%.

Table 5.52

Released felony defendants charged with misconduct in the 75 largest countiesBy arrest charge, United States, 1994^a

| Most serious arrest charge | Released felony defendants | |
|----------------------------|----------------------------|---------------------------------|
| | Number | Percent charged with misconduct |
| All offenses | 31,391 | 32% |
| Violent offenses | 7,111 | 23 |
| Murder | 106 | 19 |
| Rape | 277 | 19 |
| Robbery | 1,661 | 30 |
| Assault | 3,840 | 23 |
| Other violent | 1,227 | 17 |
| Property offenses | 10,001 | 32 |
| Burglary | 2,070 | 33 |
| Theft | 3,906 | 34 |
| Other property | 4,026 | 30 |
| Drug offenses | 11,559 | 39 |
| Trafficking | 4,583 | 38 |
| Other drug | 6,976 | 39 |
| Public-order offenses | 2,720 | 26 |
| Weapons | 1,256 | 26 |
| Driving-related | 852 | 29 |
| Other public-order | 612 | 23 |

Note: See Note, table 5.47. Types of misconduct included failure to appear in court, rearrest for a new offense, or a technical violation of release conditions that resulted in the revocation of pretrial release. Data were collected for up to 1 year. Misconduct occurring after the end of the 1-year study period is not included in the table. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 21, Table 19.

Table 5.53

Adjudication outcome for felony defendants in the 75 largest countiesBy arrest charge, United States, 1994^a

| | | Percent of felony defendants | | | | | | | | | | |
|----------------------------|----------------------|------------------------------|--------|------|-------|-------------|------|-------|---------------|-----------|-----------|----------------------------|
| Most serious arrest charge | Number of defendants | Convicted | | | | | | | Not convicted | | | Other outcome ^b |
| | | Total convicted | Felony | | | Misdemeanor | | | Total | Dismissed | Acquitted | |
| | | | Total | Plea | Trial | Total | Plea | Trial | | | | |
| All offenses | 44,170 | 72% | 61% | 56% | 4% | 11% | 11% | (c) | 26% | 25% | 1% | 2% |
| Violent offenses | 11,390 | 60 | 49 | 42 | 7 | 11 | 10 | 1% | 38 | 36 | 2 | 2 |
| Murder | 303 | 70 | 67 | 41 | 27 | 3 | 1 | 2 | 30 | 26 | 4 | 0 |
| Rape | 469 | 61 | 58 | 50 | 7 | 3 | 3 | 0 | 38 | 35 | 3 | 2 |
| Robbery | 3,540 | 64 | 57 | 51 | 6 | 7 | 6 | (c) | 35 | 33 | 1 | 2 |
| Assault | 5,158 | 53 | 41 | 34 | 7 | 12 | 11 | 1 | 45 | 42 | 3 | 2 |
| Other violent | 1,921 | 69 | 53 | 48 | 5 | 16 | 15 | 1 | 30 | 27 | 2 | 1 |
| Property offenses | 13,994 | 76 | 63 | 59 | 4 | 14 | 13 | (c) | 22 | 21 | 1 | 2 |
| Burglary | 4,020 | 78 | 67 | 62 | 5 | 11 | 10 | (c) | 21 | 21 | 1 | 1 |
| Theft | 4,955 | 77 | 63 | 58 | 4 | 14 | 14 | (c) | 21 | 21 | 1 | 2 |
| Other property | 5,019 | 75 | 60 | 57 | 3 | 15 | 15 | (c) | 23 | 22 | 1 | 2 |
| Drug offenses | 14,854 | 76 | 66 | 63 | 3 | 9 | 10 | (c) | 22 | 21 | 1 | 1 |
| Trafficking | 6,293 | 81 | 73 | 69 | 5 | 8 | 7 | 1 | 18 | 17 | 1 | 1 |
| Other drug | 8,561 | 73 | 62 | 59 | 2 | 11 | 11 | (c) | 25 | 24 | 1 | 2 |
| Public-order offenses | 3,932 | 77 | 65 | 62 | 3 | 12 | 12 | (c) | 22 | 21 | 1 | 1 |
| Weapons | 1,695 | 75 | 67 | 64 | 3 | 8 | 8 | 0 | 24 | 22 | 1 | 1 |
| Driving-related | 1,116 | 86 | 70 | 67 | 3 | 16 | 16 | (c) | 14 | 14 | (c) | (c) |
| Other public-order | 1,122 | 72 | 57 | 55 | 2 | 15 | 14 | (c) | 27 | 27 | 1 | 1 |

Note: See Note, table 5.47. Thirteen percent of all cases were still pending adjudication at the end of the 1 year followup period and are excluded from the table. Data on adjudication outcome were available for 96% of those cases that had been adjudicated. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 24, Table 23.

^aDetail may not add to total because of rounding.

^bIncludes diversion and deferred adjudication.

^cLess than 0.5%.

Table 5.54

Conviction offense of felony defendants in the 75 largest counties

United States, 1994

| Most serious conviction offense | Felony defendants | |
|---------------------------------|-------------------|---------|
| | Number | Percent |
| All offenses | 31,868 | 100% |
| All felonies | 27,461 | 86.2 |
| Violent offenses | 4,987 | 15.7 |
| Murder | 141 | 0.4 |
| Rape | 195 | 0.6 |
| Robbery | 1,604 | 5.0 |
| Assault | 1,850 | 5.8 |
| Other violent | 1,198 | 3.8 |
| Property offenses | 9,114 | 28.6 |
| Burglary | 2,413 | 7.6 |
| Theft | 3,199 | 10.0 |
| Other property | 3,502 | 11.0 |
| Drug offenses | 9,822 | 30.8 |
| Trafficking | 4,909 | 15.4 |
| Other drug | 4,913 | 15.4 |
| Public-order offenses | 3,324 | 10.4 |
| Weapons | 1,325 | 4.2 |
| Driving-related | 859 | 2.7 |
| Other public-order | 1,140 | 3.6 |
| Other felonies | 213 | 0.7 |
| Misdemeanors ^a | 4,407 | 13.8 |

Note: See Note, table 5.47. Data on conviction offense were available for 100% of cases involving defendants who had been convicted. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aComprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 27.

Table 5.55

Type of sentence received by convicted defendants in the 75 largest countiesBy conviction offense, United States, 1994^a

| Most serious conviction offense | Number of defendants | Percent of convicted defendants sentenced to: | | | | | | |
|---------------------------------|----------------------|---|---------------|--------|------|------------------|-----------|------|
| | | Total | Incarceration | | | Nonincarceration | | |
| | | | Total | Prison | Jail | Total | Probation | Fine |
| All offenses | 28,835 | 100% | 67% | 32% | 34% | 33% | 32% | 2% |
| All felonies | 25,316 | 100 | 68 | 36 | 32 | 32 | 31 | 1 |
| Violent offenses | 4,582 | 100 | 76 | 51 | 25 | 24 | 23 | 1 |
| Murder | 124 | 100 | 100 | 100 | 0 | 0 | X | X |
| Rape | 184 | 100 | 81 | 69 | 12 | 19 | 19 | 0 |
| Robbery | 1,492 | 100 | 89 | 70 | 19 | 11 | 11 | 0 |
| Assault | 1,699 | 100 | 66 | 39 | 27 | 34 | 33 | 1 |
| Other violent | 1,083 | 100 | 72 | 34 | 37 | 28 | 27 | 2 |
| Property offenses | 8,381 | 100 | 63 | 33 | 30 | 37 | 36 | 1 |
| Burglary | 2,297 | 100 | 71 | 45 | 26 | 29 | 29 | 0 |
| Theft | 3,049 | 100 | 62 | 35 | 26 | 38 | 37 | 2 |
| Other property | 3,035 | 100 | 58 | 22 | 36 | 42 | 41 | 1 |
| Drug offenses | 9,272 | 100 | 68 | 34 | 34 | 32 | 31 | 1 |
| Trafficking | 4,589 | 100 | 75 | 41 | 34 | 25 | 25 | 1 |
| Other drug | 4,683 | 100 | 61 | 27 | 34 | 39 | 38 | 1 |
| Public-order offenses | 2,873 | 100 | 71 | 29 | 42 | 29 | 25 | 4 |
| Weapons | 1,210 | 100 | 68 | 33 | 36 | 32 | 29 | 2 |
| Driving-related | 832 | 100 | 76 | 33 | 43 | 24 | 19 | 5 |
| Other public-order | 831 | 100 | 72 | 22 | 50 | 28 | 23 | 5 |
| Misdemeanors ^b | 3,519 | 100 | 57 | 5 | 52 | 43 | 37 | 6 |

Note: See Note, table 5.47. Data on type of sentence were available for 92% of cases involving defendants who had been convicted. Sixty-seven percent of jail sentences and 8% of prison sentences included a probation term. Sixteen percent of prison sentences, 18% of jail sentences, and 21% of probation sentences included a fine. Fines may have included restitution or community service. Total for all felonies includes cases that could not be classified into one of the four major offense categories. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

^bComprised of defendants with a felony arrest charge who were convicted of a misdemeanor.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*. NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 30.

Table 5.56

Average length of prison sentence received by felony defendants in the 75 largest countiesBy conviction offense, United States, 1994^a

| Most serious felony conviction offense | Number of defendants | Felony defendants | |
|--|----------------------|-------------------|--------|
| | | Number of months | |
| | | Mean ^b | Median |
| All offenses | 9,037 | 67 | 36 |
| Violent offenses | 2,300 | 108 | 72 |
| Murder | 124 | 286 | 240 |
| Rape | 128 | 134 | 120 |
| Robbery | 1,030 | 95 | 72 |
| Assault | 657 | 100 | 60 |
| Other violent | 361 | 83 | 48 |
| Property offenses | 2,734 | 53 | 36 |
| Burglary | 1,026 | 70 | 44 |
| Theft | 1,046 | 39 | 24 |
| Other property | 662 | 49 | 36 |
| Drug offenses | 3,127 | 56 | 36 |
| Trafficking | 1,879 | 62 | 48 |
| Other drug | 1,249 | 48 | 28 |
| Public-order offenses | 826 | 36 | 24 |
| Weapons | 374 | 36 | 30 |
| Driving-related | 272 | 29 | 18 |
| Other public-order | 181 | 45 | 24 |

Note: See Note, table 5.47. Data on length of prison sentence were available for 92% of all cases. Eight percent of prison sentences included a probation term and 16% included a fine. Total for all offenses includes cases that could not be classified into one of the four major offense categories. For survey methodology, definitions of terms, and crimes within offense categories, see Appendix 13.

^aDetail may not add to total because of rounding.

^bExcludes life sentences.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), p. 32.

Table 5.57

Characteristics of juvenile offenders in cases disposed by juvenile courtsBy type of offense, United States, 1996^a

| | All offenses (N=1,757,600) | Type of offense | | | |
|--------------------------|-------------------------------|-----------------------|-------------------------|---------------------|-----------------------------|
| | | Person (N=381,500) | Property (N=874,400) | Drug (N=176,300) | Public-order (N=325,400) |
| Total | 100% | 100% | 100% | 100% | 100% |
| Sex | | | | | |
| Male | 77.3 | 74.9 | 76.8 | 85.7 | 77.1 |
| Female | 22.7 | 25.1 | 23.2 | 14.3 | 22.9 |
| Race | | | | | |
| White | 65.9 | 58.9 | 69.9 | 64.7 | 64.0 |
| Black | 30.2 | 37.5 | 25.6 | 32.8 | 32.4 |
| Other ^b | 3.9 | 3.6 | 4.5 | 2.5 | 3.5 |
| Age at referral to court | | | | | |
| 12 years and younger | 10.3 | 13.0 | 12.2 | 2.1 | 6.4 |
| 13 years | 10.3 | 11.8 | 11.4 | 5.2 | 8.6 |
| 14 years | 16.5 | 17.5 | 17.2 | 12.1 | 15.7 |
| 15 years | 21.9 | 21.3 | 21.7 | 22.4 | 23.0 |
| 16 years | 23.4 | 21.3 | 22.1 | 31.0 | 25.2 |
| 17 years and older | 17.6 | 15.0 | 16.0 | 27.3 | 21.1 |

Note: These data were collected by the National Center for Juvenile Justice (NCJJ) for the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. The data are gathered from courts with juvenile jurisdiction in participating States. Information reported is based on national estimates of delinquency cases disposed by juvenile courts in the United States during 1996 (N=1,757,600). The final sample included data reported by 1,775 jurisdictions in 32 States covering 67% of the Nation's youth population at risk. These data were derived from a nonprobability sample of courts; therefore statistical confidence in the estimates cannot be determined. A case disposed refers to a definite action having been taken as the result of a referral to juvenile court, i.e., a plan of treatment was selected or initiated. These data files were developed by NCJJ and originally analyzed for the Juvenile Court Statistics series. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

^aPercents may not add to 100 because of rounding.

^bIncludes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1987-1996" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998. Available: <http://ojjdp.ncjrs.org/facts/ezaccess.html> [June 28, 1999]. Table constructed by SOURCEBOOK staff.

Table 5.58

Type of offense in cases disposed by juvenile courtsBy characteristics of juvenile offenders, United States, 1996^a

| Type of offense | All offenses | Sex | | Race | | | Age at referral to court | | | | | |
|-----------------|--------------|------|--------|-------|-------|--------------------|--------------------------|----------|----------|----------|----------|--------------------|
| | | Male | Female | White | Black | Other ^b | 12 years and younger | 13 years | 14 years | 15 years | 16 years | 17 years and older |
| Total | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| Person | 21.7 | 21.0 | 24.0 | 19.4 | 27.0 | 20.0 | 27.5 | 24.8 | 23.1 | 21.1 | 19.8 | 18.5 |
| Property | 49.8 | 49.4 | 51.0 | 52.8 | 42.2 | 56.9 | 59.0 | 54.8 | 51.9 | 49.2 | 47.0 | 43.8 |
| Drug | 10.0 | 11.1 | 6.3 | 9.8 | 10.9 | 6.4 | 2.0 | 5.0 | 7.4 | 10.2 | 13.3 | 15.5 |
| Public-order | 18.5 | 18.5 | 18.7 | 18.0 | 19.9 | 16.7 | 11.4 | 15.3 | 17.6 | 19.5 | 20.0 | 22.2 |

Note: See Note, table 5.57. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

^aPercents may not add to 100 because of rounding.

^bIncludes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1987-1996" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998. Available: <http://ojjdp.ncjrs.org/facts/ezaccess.html> [June 28, 1999]. Table constructed by SOURCEBOOK staff.

Table 5.59

Juvenile court case outcomes

By characteristics of juvenile offenders and type of offense, United States, 1996

| | Delinquency cases | | | | | | | | | | | |
|---------------------------------|--|------------------|------------------------|------------------------------------|------------------------------|---------------------|-----------|--------------------|-----------------------------------|---------------------|-----------|--------------------|
| | Detained prior to juvenile court disposition | Petitioned cases | | | Cases adjudicated delinquent | | | | Nonadjudicated cases ^a | | | |
| | | Petitioned | Adjudicated delinquent | Transferred/ waived to adult court | Placed out of home | Placed on probation | Dismissed | Other ^b | Placed out of home | Placed on probation | Dismissed | Other ^b |
| Total | 18.3% | 55.9% | 57.7% | 1.0% | 28.1% | 54.1% | 4.4% | 13.4% | 1.4% | 27.5% | 49.3% | 21.0% |
| Sex | | | | | | | | | | | | |
| Male | 19.5 | 58.8 | 58.8 | 1.2 | 29.4 | 53.1 | 4.4 | 13.0 | 1.6 | 26.8 | 50.5 | 20.0 |
| Female | 13.9 | 46.0 | 52.6 | B | 21.6 | 59.0 | 4.3 | 15.0 | 0.8 | 29.5 | 45.8 | 23.7 |
| Race | | | | | | | | | | | | |
| White | 14.2 | 53.5 | 58.7 | 0.8 | 26.0 | 55.5 | 3.6 | 15.0 | 1.3 | 29.6 | 46.7 | 21.7 |
| Black | 27.2 | 61.6 | 55.0 | 1.4 | 31.9 | 52.1 | 6.7 | 9.4 | 1.7 | 22.7 | 54.8 | 19.5 |
| Other ^c | 18.0 | 52.8 | 65.6 | B | 31.9 | 48.2 | B | 18.8 | B | 27.3 | 52.6 | 19.1 |
| Age at referral to court | | | | | | | | | | | | |
| 12 years and younger | 10.1 | 39.0 | 50.7 | B | 18.5 | 63.0 | 3.9 | 14.6 | B | 32.6 | 47.0 | 19.9 |
| 13 years | 16.2 | 49.9 | 58.6 | B | 26.4 | 58.6 | 3.4 | 11.5 | 1.0 | 31.6 | 46.8 | 20.5 |
| 14 years | 18.4 | 54.9 | 60.2 | B | 29.0 | 56.1 | 3.6 | 11.3 | 1.4 | 29.6 | 48.5 | 20.3 |
| 15 years | 20.2 | 59.1 | 60.1 | 0.5 | 29.8 | 54.6 | 4.2 | 11.5 | 1.6 | 27.3 | 50.3 | 20.3 |
| 16 years | 20.2 | 58.8 | 58.4 | 1.4 | 29.6 | 52.0 | 4.8 | 13.6 | 1.6 | 26.1 | 49.6 | 21.3 |
| 17 years and older | 19.1 | 62.5 | 54.0 | 2.6 | 27.1 | 49.3 | 5.7 | 17.8 | 1.6 | 21.2 | 51.7 | 22.9 |
| Type of offense | | | | | | | | | | | | |
| Person | 22.8 | 58.6 | 54.5 | 1.9 | 30.9 | 53.5 | 5.0 | 10.7 | 1.3 | 26.3 | 54.6 | 16.1 |
| Property | 14.4 | 52.1 | 59.0 | 0.8 | 26.1 | 56.4 | 3.8 | 13.8 | 1.1 | 29.9 | 44.3 | 24.0 |
| Drug | 22.5 | 62.1 | 58.2 | 1.2 | 24.5 | 54.1 | 6.9 | 14.5 | 1.5 | 29.8 | 48.8 | 18.7 |
| Public-order | 21.0 | 59.7 | 58.1 | B | 32.0 | 49.4 | 4.0 | 14.6 | 2.1 | 20.7 | 57.5 | 19.4 |

Note: See Note, table 5.57. Care should be exercised when interpreting age, sex, or race differences because reported statistics do not control for variations in the seriousness of the offense or the prior criminal history of the juvenile. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

^aIncludes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

^bIncludes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

^cIncludes persons having origin in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. Nearly all Hispanics were included in the "white" racial category.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1987-1996" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998. Available: <http://ojjdp.ncjrs.org/facts/ezaccess.html> [June 28, 1999]. Table constructed by SOURCEBOOK staff.

Table 5.60

Juvenile court case outcomes

By type of offense and race of juvenile offender, United States, 1996

| Type of offense and race of offender | Delinquency cases | | | | | | | | | | | |
|--------------------------------------|--|------------------|------------------------|------------------------------------|------------------------------|---------------------|-----------|--------------------|-----------------------------------|---------------------|-----------|--------------------|
| | Detained prior to juvenile court disposition | Petitioned cases | | | Cases adjudicated delinquent | | | | Nonadjudicated cases ^a | | | |
| | | Petitioned | Adjudicated delinquent | Transferred/ waived to adult court | Placed out of home | Placed on probation | Dismissed | Other ^b | Placed out of home | Placed on probation | Dismissed | Other ^b |
| Person | | | | | | | | | | | | |
| White | 19.4% | 55.6% | 55.6% | 1.6% | 29.2% | 55.3% | 4.0% | 11.5% | 1.3% | 28.6% | 53.1% | 15.7% |
| Black | 28.0 | 63.1 | 52.1 | 2.3 | 32.4 | 51.4 | 6.9 | 9.3 | 1.5 | 22.5 | 56.7 | 17.1 |
| Property | | | | | | | | | | | | |
| White | 11.4 | 50.8 | 59.8 | 0.7 | 24.4 | 57.3 | 3.0 | 15.2 | 1.1 | 31.5 | 42.2 | 24.8 |
| Black | 22.5 | 56.3 | 55.7 | 1.0 | 29.9 | 55.3 | 6.2 | 8.6 | 1.3 | 26.0 | 49.6 | 22.3 |
| Drug | | | | | | | | | | | | |
| White | 13.6 | 54.5 | 59.0 | B | 18.8 | 58.4 | 5.7 | 17.2 | B | 34.0 | 45.0 | 19.8 |
| Black | 40.4 | 77.6 | 57.1 | B | 32.3 | 48.0 | 9.1 | 10.5 | 3.9 | 19.5 | 57.3 | 16.6 |
| Public-order | | | | | | | | | | | | |
| White | 17.2 | 58.6 | 58.7 | B | 30.6 | 49.4 | 3.4 | 16.6 | 2.4 | 22.4 | 54.8 | 20.2 |
| Black | 28.9 | 62.1 | 56.2 | B | 34.6 | 49.7 | 5.5 | 10.2 | 1.7 | 17.3 | 62.4 | 18.0 |

Note: See Notes, tables 5.57 and 5.59. For methodology, definitions of terms, and offenses within categories, see Appendix 14.

^aIncludes petitioned cases that were not adjudicated delinquent and nonpetitioned cases.

^bIncludes dispositions such as fines, restitution, community service, and referrals outside the court for services with minimal or no further court involvement anticipated.

Source: Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1987-1996" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998. Available: <http://ojjdp.ncjrs.org/facts/ezaccess.html> [June 28, 1999]. Table constructed by SOURCEBOOK staff.

Table 5.61

Petitions filed in U.S. District Courts by Federal and State prisoners

By type of petition, 1977-98

| | Total | Petitions by Federal prisoners | | | | | | Petitions by State prisoners | | | | |
|----------------------------------|--------|--------------------------------|----------------------------|---------------|----------------|--------------|-------------------|------------------------------|---------------|----------------|--------------|-------------------|
| | | Total | Motions to vacate sentence | Habeas corpus | Mandamus, etc. | Civil rights | Prison conditions | Total | Habeas corpus | Mandamus, etc. | Civil rights | Prison conditions |
| 1977 | 19,537 | 4,691 | 1,921 | 1,745 | 542 | 483 | X | 14,846 | 6,866 | 228 | 7,752 | X |
| 1978 | 21,924 | 4,955 | 1,924 | 1,851 | 544 | 636 | X | 16,969 | 7,033 | 206 | 9,730 | X |
| 1979 | 23,001 | 4,499 | 1,907 | 1,664 | 340 | 588 | X | 18,502 | 7,123 | 184 | 11,195 | X |
| 1980 | 23,287 | 3,713 | 1,322 | 1,465 | 323 | 603 | X | 19,574 | 7,031 | 146 | 12,397 | X |
| 1981 | 27,711 | 4,104 | 1,248 | 1,680 | 342 | 834 | X | 23,607 | 7,790 | 178 | 15,639 | X |
| 1982 | 29,303 | 4,328 | 1,186 | 1,927 | 381 | 834 | X | 24,975 | 8,059 | 175 | 16,741 | X |
| 1983 | 30,775 | 4,354 | 1,311 | 1,914 | 339 | 790 | X | 26,421 | 8,532 | 202 | 17,687 | X |
| 1984 | 31,107 | 4,526 | 1,427 | 1,905 | 372 | 822 | X | 26,581 | 8,349 | 198 | 18,034 | X |
| 1985 | 33,468 | 6,262 | 1,527 | 3,405 | 373 | 957 | X | 27,206 | 8,534 | 181 | 18,491 | X |
| 1986 | 33,765 | 4,432 | 1,556 | 1,679 | 427 | 770 | X | 29,333 | 9,045 | 216 | 20,072 | X |
| 1987 | 37,316 | 4,519 | 1,669 | 1,812 | 313 | 725 | X | 32,797 ^a | 9,542 | 276 | 22,972 | X |
| 1988 | 38,839 | 5,130 | 2,071 | 1,867 | 330 | 862 | X | 33,709 | 9,880 | 270 | 23,559 | X |
| 1989 | 41,481 | 5,577 | 2,526 | 1,818 | 315 | 918 | X | 35,904 | 10,554 | 311 | 25,039 | X |
| 1990 | 42,630 | 6,611 | 2,970 | 1,967 | 525 | 1,149 | X | 36,019 | 10,823 | 353 | 24,843 | X |
| 1991 | 42,462 | 6,817 | 3,328 | 2,112 | 378 | 999 | X | 35,645 | 10,331 | 268 | 25,046 | X |
| 1992 | 48,423 | 6,997 | 3,983 | 1,507 | 597 | 910 | X | 41,426 | 11,299 | 481 | 29,646 | X |
| 1993 | 53,451 | 8,456 | 5,379 | 1,467 | 695 | 915 | X | 44,995 | 11,587 | 390 | 33,018 | X |
| 1994 | 57,940 | 7,700 | 4,628 | 1,441 | 491 | 1,140 | X | 50,240 | 11,918 | 397 | 37,925 | X |
| 1995 | 63,550 | 8,951 | 5,988 | 1,343 | 510 | 1,110 | X | 54,599 | 13,632 | 398 | 40,569 | X |
| 1996 | 68,235 | 13,095 | 9,729 | 1,703 | 444 | 1,219 | X | 55,140 | 14,726 | 418 | 39,996 | X |
| 1997 | 62,966 | 14,952 | 11,675 | 1,902 | 401 | 974 | X | 48,014 | 19,956 | 397 | 27,661 | X |
| 1998 | 54,715 | 9,937 | 6,287 | 2,321 | 346 | 641 | 342 | 44,778 | 18,838 | 461 | 13,115 | 12,364 |
| Percent change 1998 over 1997 | -13.1% | -34.0% | -46.1% | 22.0% | -13.7% | -34.2% | X | -6.7% | -5.6% | 16.1% | -52.6% | X |

Note: Petitions by Federal prisoners are suits brought against the Federal Government. Petitions by State prisoners are those petitions in which the State or its representative(s) is (are) named as the defendant(s). "Habeas corpus" is a writ whose object is to bring a party before a court or a judge. "Mandamus" is a writ from a superior court to an inferior court or to a public official, a corporation, etc., commanding that a specified action be taken. Data for 1977-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aIncludes 7 motions to vacate sentence.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 149; 1986, p. 176; 1995, p. 139; 1998, p. 143 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1987, p. 179; 1988, p. 182; 1989, p. 178; 1990, p. 138; 1991, p. 191; 1992, p. 179; 1993, p. A1-55; 1994, Table C-2; 1996, p. 136; 1997, p. 129 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.62

Appeals commenced, terminated, and pending, and judgeships authorized in U.S. Courts of Appeals

1982-98

| | Judge-ships authorized | Commenced | | | |
|----------------------------------|------------------------|-----------|-----------------------------|------------|---------|
| | | Number | Cases per three-judge panel | Terminated | Pending |
| 1982 | 132 | 27,946 | 635 | 27,984 | 21,510 |
| 1983 | 132 | 29,630 | 673 | 28,660 | 22,480 |
| 1984 | 132 | 31,490 | 716 | 31,185 | 22,785 |
| 1985 | 156 | 33,360 | 642 | 31,387 | 24,758 |
| 1986 | 156 | 34,292 | 659 | 33,774 | 25,276 |
| 1987 | 156 | 35,176 | 676 | 34,444 | 26,008 |
| 1988 | 156 | 38,239 | 737 | 36,213 | 28,273 |
| 1989 | 156 | 39,900 | 767 | 37,509 | 30,614 |
| 1990 | 156 | 40,858 | 786 | 38,790 | 32,299 |
| 1991 | 167 | 43,027 | 773 | 41,640 | 33,428 |
| 1992 | 167 | 47,013 | 845 | 44,373 | 35,799 |
| 1993 | 167 | 50,224 | 902 | 47,790 | 38,156 |
| 1994 | 167 | 48,322 | 868 | 49,184 | 37,269 |
| 1995 | 167 | 50,072 | 899 | 49,805 | 37,310 |
| 1996 | 167 | 51,991 | 934 | 50,413 | 38,774 |
| 1997 | 167 | 52,319 | 940 | 51,194 | 39,846 |
| 1998 | 167 | 53,805 | 967 | 52,002 | 41,649 |
| Percent change 1998 over 1997 | 0% | 2.8% | 2.9% | 1.6% | 4.5% |

Note: Three-judge panels represent full panels and hear appeal arguments. Data on the number of judges and cases filed in the Federal Circuit are excluded. Data for 1982-87 are reported for the 12-month period ending June 30. Beginning in 1988, data are reported for the Federal fiscal year, which is the 12-month period ending September 30. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1992, p. 57, Table 1; 1997, p. 14, Table 1 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1998 (Washington, DC: Administrative Office of the United States Courts, 1999), p. 18, Table 1. Table adapted by SOURCEBOOK staff.

Table 5.63

Appeals from U.S. District Courts filed in U.S. Courts of Appeals

By nature of suit or offense, 1983-98

| Nature of suit or offense | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------------|---------------|
| Total cases | 25,039 | 26,606 | 28,560 | 29,425 | 30,798 | 32,686 | 34,995 | 36,609 | 37,410 | 41,543 | 44,236 | 42,983 | 44,365 | 47,026 | 45,935 | 48,057 |
| Total civil cases | 20,249 | 21,725 | 23,571 | 24,291 | 25,538 | 26,674 | 26,975 | 27,116 | 27,461 | 30,328 | 32,374 | 32,309 | 34,203 | 36,137 | 35,414 | 37,522 |
| U.S. cases | 5,820 | 6,259 | 6,744 | 6,415 | 6,292 | 6,210 | 6,349 | 6,626 | 6,663 | 7,137 | 7,858 | 7,533 | 7,919 | 8,750 | 8,986 | 9,816 |
| U.S. plaintiff | 964 | 958 | 914 | 989 | 969 | 838 | 885 | 935 | 991 | 1,012 | 985 | 923 | 809 | 728 | 557 | 638 |
| Contract actions | 96 | 109 | 99 | 87 | 136 | 105 | 121 | 146 | 116 | 165 | 196 | 126 | 95 | 89 | 55 | 50 |
| Real property actions | 136 | 126 | 111 | 107 | 117 | 108 | 84 | 88 | 98 | 81 | 134 | 102 | 62 | 63 | 37 | 43 |
| Civil rights | 77 | 91 | 68 | 79 | 112 | 95 | 95 | 121 | 100 | 89 | 53 | 83 | 78 | 80 | 71 | 98 |
| Labor laws | 109 | 94 | 68 | 84 | 78 | 86 | 72 | 62 | 68 | 59 | 44 | 49 | 37 | 26 | 23 | 25 |
| All other ^a | 546 | 538 | 568 | 632 | 526 | 444 | 513 | 518 | 609 | 618 | 558 | 563 | 537 | 470 | 371 | 422 |
| U.S. defendant | 4,856 | 5,301 | 5,830 | 5,426 | 5,323 | 5,372 | 5,464 | 5,691 | 5,672 | 6,125 | 6,873 | 6,610 | 7,110 | 8,022 | 8,429 | 9,178 |
| Contract actions | 136 | 169 | 141 | 141 | 132 | 127 | 112 | 133 | 159 | 206 | 232 | 180 | 139 | 131 | 90 | 107 |
| Real property actions | 80 | 76 | 77 | 82 | 79 | 106 | 69 | 82 | 107 | 91 | 114 | 99 | 97 | 110 | 64 | 74 |
| Tort actions | 496 | 410 | 404 | 409 | 448 | 379 | 407 | 381 | 384 | 396 | 369 | 376 | 356 | 463 | 350 | 293 |
| Civil rights | 632 | 625 | 720 | 612 | 642 | 691 | 707 | 693 | 744 | 796 | 899 | 873 | 898 | 948 | 898 | 963 |
| Prisoner petitions: | | | | | | | | | | | | | | | | |
| Motions to vacate sentence | 388 | 470 | 551 | 624 | 712 | 856 | 991 | 1,112 | 1,154 | 1,467 | 1,818 | 1,774 | 2,215 | 3,078 | 3,870 | 4,066 |
| Habeas corpus ^b | 440 | 462 | 531 | 485 | 546 | 524 | 493 | 488 | 506 | 432 | 421 | 430 | 462 | 451 | 492 | 677 |
| Prisoner civil rights | 282 | 294 | 288 | 324 | 349 | 335 | 325 | 408 | 389 | 406 | 416 | 506 | 555 | 624 | 434 | 302 |
| Prison conditions | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 85 ^c | 152 |
| Other prisoner petitions | 148 | 171 | 140 | 136 | 195 | 247 | 256 | 253 | 289 | 239 | 247 | 229 | 225 | 293 | 302 | 327 |
| Social Security laws | 992 | 1,204 | 1,188 | 1,178 | 982 | 992 | 951 | 926 | 686 | 683 | 846 | 861 | 925 | 815 | 699 | 862 |
| Tax suits | 259 | 457 | 448 | 393 | 288 | 264 | 310 | 313 | 332 | 360 | 320 | 306 | 270 | 219 | 248 | 276 |
| Environmental matters | 89 | 94 | 102 | 81 | 60 | 70 | 97 | 93 | 96 | 99 | 101 | 105 | 110 | 133 | 138 | 113 |
| Freedom of Information Act | 103 | 104 | 130 | 143 | 134 | 108 | 83 | 93 | 98 | 136 | 142 | 98 | 81 | 94 | 106 | 109 |
| All other ^d | 811 | 765 | 1,110 | 818 | 756 | 673 | 663 | 716 | 728 | 814 | 948 | 773 | 777 | 663 | 653 | 857 |
| Private cases | 14,429 | 15,466 | 16,827 | 17,876 | 19,246 | 20,464 | 20,626 | 20,490 | 20,798 | 23,191 | 24,516 | 24,776 | 26,284 | 27,387 | 26,428 | 27,706 |
| Federal question | 10,769 | 11,734 | 12,910 | 13,989 | 15,130 | 15,901 | 16,274 | 16,370 | 16,668 | 18,795 | 19,930 | 20,824 | 22,496 | 23,533 | 22,630 | 24,250 |
| Contract actions | 401 | 495 | 586 | 525 | 510 | 533 | 587 | 561 | 628 | 737 | 631 | 768 | 578 | 642 | 553 | 606 |
| Tort actions | 607 | 680 | 749 | 782 | 697 | 800 | 778 | 737 | 742 | 750 | 783 | 744 | 813 | 686 | 687 | 666 |
| Civil rights | 3,043 | 3,215 | 3,648 | 3,928 | 3,926 | 3,931 | 3,939 | 3,915 | 3,844 | 4,339 | 5,030 | 5,638 | 6,001 | 6,242 | 6,923 | 7,405 |
| Antitrust | 345 | 303 | 310 | 345 | 309 | 274 | 253 | 214 | 190 | 162 | 197 | 197 | 164 | 160 | 166 | 169 |
| Prisoner petitions: | | | | | | | | | | | | | | | | |
| Habeas corpus ^b | 1,683 | 1,609 | 2,172 | 2,331 | 2,755 | 3,107 | 3,168 | 3,170 | 3,391 | 3,725 | 3,612 | 3,642 | 3,927 | 4,423 | 4,475 | 6,054 |
| Prisoner civil rights | 2,297 | 2,796 | 2,772 | 2,982 | 3,817 | 4,070 | 4,224 | 4,413 | 4,655 | 5,396 | 6,044 | 6,385 | 7,528 | 8,053 | 5,358 | 3,814 |
| Prison conditions | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 1,103 ^c | 1,937 |
| Other prisoner petitions | 89 | 162 | 78 | 110 | 111 | 114 | 100 | 53 | 70 | 71 | 104 | 78 | 69 | 70 | 68 | 92 |
| Labor laws | 845 | 966 | 1,009 | 1,056 | 1,084 | 1,109 | 1,190 | 1,085 | 1,079 | 1,195 | 1,181 | 1,179 | 1,276 | 1,190 | 1,160 | 1,303 |
| Copyright, patent, and trademark | 334 | 303 | 275 | 339 | 329 | 301 | 265 | 349 | 306 | 377 | 394 | 401 | 443 | 447 | 450 | 491 |
| Securities, commodities, exchange | 308 | 342 | 290 | 464 | 407 | 443 | 449 | 417 | 352 | 428 | 323 | 242 | 224 | 242 | 200 | 177 |
| Constitutionality of State statutes | 116 | 82 | 104 | 110 | 71 | 101 | 102 | 96 | 100 | 117 | 87 | 106 | 123 | 96 | 133 | 129 |
| All other | 701 | 781 | 917 | 1,017 | 1,114 | 1,118 | 1,219 | 1,360 | 1,311 | 1,498 | 1,544 | 1,444 | 1,350 | 1,282 | 1,354 | 1,407 |
| Diversity of citizenship | 3,610 | 3,668 | 3,878 | 3,834 | 4,065 | 4,504 | 4,287 | 4,099 | 4,088 | 4,333 | 4,551 | 3,898 | 3,753 | 3,833 | 3,776 | 3,443 |
| Contract actions | 1,983 | 2,102 | 2,192 | 2,289 | 2,459 | 2,414 | 2,612 | 2,413 | 2,419 | 2,450 | 2,398 | 2,292 | 2,183 | 2,235 | 2,259 | 2,019 |
| Tort actions | 1,413 | 1,409 | 1,538 | 1,393 | 1,434 | 1,930 | 1,468 | 1,488 | 1,415 | 1,663 | 1,957 | 1,410 | 1,414 | 1,445 | 1,379 | 1,296 |
| All other ^e | 214 | 157 | 148 | 152 | 172 | 160 | 207 | 198 | 254 | 220 | 196 | 196 | 156 | 153 | 138 | 128 |
| General local jurisdiction | 50 | 64 | 39 | 53 | 51 | 59 | 65 | 21 | 42 | 63 | 35 | 54 | 35 | 21 | 22 | 13 |
| Contract actions | NA | NA | NA | 5 | 7 | 17 | 18 | 8 | 10 | 16 | 8 | 13 | 8 | 2 | 7 | 0 |
| Tort actions | NA | NA | NA | 30 | 16 | 29 | 17 | 3 | 18 | 14 | 14 | 21 | 11 | 3 | 4 | 6 |
| Prisoner petitions | NA | NA | NA | 0 | 3 | 3 | 2 | 1 | 0 | 2 | 0 | 0 | 0 | 4 | 1 | 1 |
| All other ^e | NA | NA | NA | 18 | 25 | 10 | 28 | 9 | 14 | 31 | 13 | 20 | 16 | 12 | 10 | 6 |
| Total criminal cases | 4,790 | 4,881 | 4,989 | 5,134 | 5,260 | 6,012 | 8,020 | 9,493 | 9,949 | 11,215 | 11,862 | 10,674 | 10,162 | 10,889 | 10,521 | 10,535 |
| Homicide | 54 | 53 | 49 | 56 | 56 | 54 | 50 | 81 | 66 | 79 | 83 | 126 | 114 | 142 | 140 | 119 |
| Assault | 90 | 61 | 67 | 63 | 75 | 80 | 102 | 97 | 86 | 80 | 116 | 103 | 103 | 80 | 89 | 79 |
| Robbery and burglary | 327 | 294 | 300 | 237 | 228 | 229 | 379 | 400 | 463 | 547 | 596 | 528 | 353 | 289 | 305 | 319 |
| Larceny and theft | 287 | 239 | 242 | 210 | 236 | 188 | 243 | 267 | 225 | 238 | 262 | 302 | 250 | 278 | 275 | 269 |
| Embezzlement and fraud | 917 | 855 | 912 | 971 | 966 | 1,093 | 1,174 | 1,221 | 1,387 | 1,522 | 1,561 | 1,426 | 1,294 | 1,581 | 1,526 | 1,403 |
| Motor vehicle theft | 52 | 49 | 55 | 51 | 23 | 37 | 30 | 35 | 38 | 49 | 64 | 135 | 92 | 112 | 76 | 94 |
| Drug offenses | 1,774 | 1,970 | 2,063 | 2,134 | 2,254 | 2,977 | 4,386 | 5,658 | 5,570 | 5,936 | 5,900 | 5,104 | 4,499 | 5,099 | 4,750 | 4,845 |
| Extortion, racketeering, and threats | 158 | 188 | 263 | 245 | 203 | 135 | 125 | 119 | 136 | 167 | 157 | 150 | 122 | 204 | 218 | 163 |
| Firearms, weapons | 293 | 248 | 229 | 276 | 258 | 297 | 476 | 526 | 715 | 1,092 | 1,237 | 1,139 | 1,034 | 1,183 | 1,135 | 982 |
| Forgery and counterfeiting | 191 | 221 | 157 | 183 | 161 | 142 | 175 | 172 | 128 | 152 | 132 | 127 | 132 | 140 | 143 | 158 |
| Immigration | 94 | 97 | 64 | 78 | 73 | 78 | 157 | 140 | 144 | 209 | 226 | 263 | 277 | 353 | 417 | 693 |
| All other ^f | 553 | 606 | 588 | 629 | 559 | 702 | 723 | 777 | 991 | 1,144 | 1,528 | 1,271 | 1,892 | 1,428 | 1,447 | 1,411 |

See notes at end of table.

Table 5.63

Appeals from U.S. District Courts filed in U.S. Courts of Appeals

By nature of suit or offense, 1983-98--Continued

Note: See Note, table 5.61. "Private cases" brought in U.S. District Courts include suits wherein litigation is between States and/or private citizens. "Prisoner petitions" included in this category are those filed by State prisoners naming a State or its representative(s) as the defendant(s). "Diversity of citizenship" refers to lawsuits between residents of different States. Since 1987, totals include reopened, remanded, and reinstated appeals as well as original appeals. Data for 1982-91 are reported for the 12-month period ending June 30. Beginning in 1992, data are reported for the Federal fiscal year, which is the 12-month period ending September 30.

^aIncludes tort actions; forfeiture and penalty; securities, commodities, and exchange; and tax suits.

^bIncludes death sentence cases.

^cCollection of data for this category began on Jan. 1, 1997; therefore reported data are for 9 months.

^dIncludes labor suits.

^eIncludes real property actions.

^fIncludes sex offenses, bribery, gambling, lottery, kidnaping, escape, perjury, drunk driving/traffic, and Federal statutes such as agricultural acts and antitrust violations.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1985, p. 118; 1986, pp. 165-168; 1995, pp. 122-126; 1998, pp. 126-130 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1984, p. 112; 1987, pp. 165-168; 1988, pp. 168-171; 1989, pp. 164-167; 1990, pp. 130-132; 1991, pp. 183, 184; 1992, pp. 166-170; 1993, pp. A1-38--A1-42; 1994, Table B-7; 1996, pp. 119-123; 1997, pp. 112-116 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.64

Activities of the U.S. Supreme Court

At conclusion of the October terms 1976-97

| October terms | Argued during term | Disposed of by full opinions | Disposed of by per curiam opinions | Set for reargument | Granted review this term | Reviewed and decided without oral argument | Total available for argument at outset of following term |
|-------------------|--------------------|------------------------------|------------------------------------|--------------------|--------------------------|--|--|
| 1976 | 176 | 154 | 22 | 0 | 169 | 207 | 88 |
| 1977 | 172 | 153 | 8 | 9 | 162 | 129 | 75 |
| 1978 | 168 | 153 | 8 | 8 | 163 | 110 | 79 |
| 1979 | 156 | 143 | 12 | 1 | 154 | 128 | 78 |
| 1980 | 154 | 144 | 8 | 2 | 183 | 130 | 102 |
| 1981 | 184 | 169 | 10 | 4 | 210 | 134 | 126 |
| 1982 | 183 | 174 | 6 | 3 | 179 | 135 | 113 |
| 1983 | 184 | 174 | 6 | 4 | 149 | 86 | 80 |
| 1984 | 175 | 159 | 11 | 5 | 185 | 82 | 87 |
| 1985 | 172 | 161 | 10 | 1 | 187 | 103 | 101 |
| 1986 | 175 | 164 | 10 | 1 | 167 | 113 | 91 |
| 1987 | 167 | 151 | 9 | 7 | 180 | 95 | 105 |
| 1988 | 170 | 156 | 12 | 2 | 147 | 110 | 81 |
| 1989 | 146 | 143 | 3 | 0 | 122 | 80 | 57 |
| 1990 | 125 | 121 | 4 | 0 | 141 | 115 | 70 |
| 1991 | 127 | 120 | 3 | 4 | 120 | 77 | 66 |
| 1992 | 116 | 111 | 4 | 0 | 97 | 113 | 46 |
| 1993 | 99 | 93 | 6 | 0 | 99 | 70 | 40 |
| 1994 | 94 | 91 | 3 | 0 | 93 | 69 | 39 |
| 1995 | 90 | 87 | 3 | 0 | 105 | 120 | 52 |
| 1996 | 90 | 87 | 3 | 0 | 87 | 82 | 48 |
| 1997 ^a | 96 | 93 | 1 | 0 | 90 | 51 | 41 |

Note: "Per curiam" refers to disposition of a case by the Court that is not accompanied by a full opinion. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aIncludes two dismissed cases.

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. A-1; 1986, p. 135; 1998, p. 89 (Washington, DC: Administrative Office of the United States Courts); and Administrative Office of the United States Courts, *Annual Report of the Director*, 1991, p. 161; 1996, p. 82; (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.65

Cases filed, disposed of, and pending in the U.S. Supreme Court

By method of filing, at conclusion of the October terms 1976-97

| October terms | Total | Original | Paid | In forma pauperis | October terms | Total | Original | Paid | In forma pauperis |
|---------------------|-------|----------|-------|-------------------|---------------------|-------|----------|-------|-------------------|
| <u>1976</u> | | | | | <u>1987</u> | | | | |
| Cases on docket | 4,730 | 8 | 2,324 | 2,398 | Cases on docket | 5,268 | 16 | 2,577 | 2,675 |
| Disposed of | 3,918 | 2 | 1,852 | 2,064 | Disposed of | 4,387 | 5 | 2,131 | 2,251 |
| Remaining on docket | 812 | 6 | 472 | 334 | Remaining on docket | 881 | 11 | 446 | 424 |
| <u>1977</u> | | | | | <u>1988</u> | | | | |
| Cases on docket | 4,704 | 14 | 2,341 | 2,349 | Cases on docket | 5,657 | 14 | 2,587 | 3,056 |
| Disposed of | 3,867 | 3 | 1,911 | 1,953 | Disposed of | 4,911 | 2 | 2,271 | 2,638 |
| Remaining on docket | 837 | 11 | 430 | 396 | Remaining on docket | 746 | 12 | 316 | 418 |
| <u>1978</u> | | | | | <u>1989</u> | | | | |
| Cases on docket | 4,731 | 17 | 2,383 | 2,331 | Cases on docket | 5,746 | 14 | 2,416 | 3,316 |
| Disposed of | 4,017 | 0 | 2,021 | 1,996 | Disposed of | 4,989 | 2 | 2,096 | 2,891 |
| Remaining on docket | 714 | 17 | 362 | 335 | Remaining on docket | 757 | 12 | 320 | 425 |
| <u>1979</u> | | | | | <u>1990</u> | | | | |
| Cases on docket | 4,781 | 23 | 2,509 | 2,249 | Cases on docket | 6,316 | 14 | 2,351 | 3,951 |
| Disposed of | 3,889 | 1 | 2,050 | 1,838 | Disposed of | 5,481 | 3 | 2,042 | 3,436 |
| Remaining on docket | 892 | 22 | 459 | 411 | Remaining on docket | 835 | 11 | 309 | 515 |
| <u>1980</u> | | | | | <u>1991</u> | | | | |
| Cases on docket | 5,144 | 24 | 2,749 | 2,371 | Cases on docket | 6,770 | 12 | 2,451 | 4,307 |
| Disposed of | 4,196 | 7 | 2,222 | 1,950 | Disposed of | 5,894 | 1 | 2,125 | 3,768 |
| Remaining on docket | 948 | 17 | 527 | 421 | Remaining on docket | 876 | 11 | 326 | 539 |
| <u>1981</u> | | | | | <u>1992</u> | | | | |
| Cases on docket | 5,311 | 22 | 2,935 | 2,354 | Cases on docket | 7,245 | 12 | 2,441 | 4,792 |
| Disposed of | 4,433 | 6 | 2,390 | 2,037 | Disposed of | 6,402 | 1 | 2,140 | 4,261 |
| Remaining on docket | 878 | 16 | 545 | 317 | Remaining on docket | 843 | 11 | 301 | 531 |
| <u>1982</u> | | | | | <u>1993</u> | | | | |
| Cases on docket | 5,079 | 17 | 2,170 | 2,352 | Cases on docket | 7,786 | 12 | 2,442 | 5,332 |
| Disposed of | 4,201 | 3 | 2,190 | 2,008 | Disposed of | 6,721 | 1 | 2,099 | 4,621 |
| Remaining on docket | 878 | 14 | 520 | 344 | Remaining on docket | 1,065 | 11 | 343 | 711 |
| <u>1983</u> | | | | | <u>1994</u> | | | | |
| Cases on docket | 5,100 | 18 | 2,688 | 2,394 | Cases on docket | 8,100 | 11 | 2,515 | 5,574 |
| Disposed of | 4,140 | 7 | 2,148 | 1,985 | Disposed of | 7,170 | 2 | 2,185 | 4,983 |
| Remaining on docket | 960 | 11 | 540 | 409 | Remaining on docket | 930 | 9 | 330 | 591 |
| <u>1984</u> | | | | | <u>1995</u> | | | | |
| Cases on docket | 5,006 | 15 | 2,575 | 2,416 | Cases on docket | 7,565 | 11 | 2,456 | 5,098 |
| Disposed of | 4,261 | 8 | 2,175 | 2,078 | Disposed of | 6,649 | 5 | 2,130 | 4,514 |
| Remaining on docket | 745 | 7 | 400 | 338 | Remaining on docket | 916 | 6 | 326 | 584 |
| <u>1985</u> | | | | | <u>1996</u> | | | | |
| Cases on docket | 5,158 | 10 | 2,571 | 2,577 | Cases on docket | 7,602 | 7 | 2,430 | 5,165 |
| Disposed of | 4,275 | 2 | 2,095 | 2,178 | Disposed of | 6,739 | 2 | 2,124 | 4,613 |
| Remaining on docket | 883 | 8 | 476 | 399 | Remaining on docket | 863 | 5 | 306 | 552 |
| <u>1986</u> | | | | | <u>1997</u> | | | | |
| Cases on docket | 5,134 | 12 | 2,547 | 2,575 | Cases on docket | 7,692 | 7 | 2,432 | 5,253 |
| Disposed of | 4,360 | 1 | 2,105 | 2,254 | Disposed of | 6,759 | 1 | 2,142 | 4,616 |
| Remaining on docket | 774 | 11 | 442 | 321 | Remaining on docket | 933 | 6 | 290 | 637 |

Note: "Original" refers to those cases that were on the Supreme Court docket previously and were disposed of, but that have been reinstated for some reason. For all cases other than "original" ones, a docket filing fee must be "paid." If the petitioner is indigent, the docket filing fee is waived and the case is filed "in forma pauperis."

Source: Administrative Office of the United States Courts, *Annual Report of the Director*, 1981, p. A-1; 1986, p. 135; 1998, p. 89 (Washington, DC: Administrative Office of the United States Courts); and *Annual Report of the Director*, 1991, p. 161; 1996, p. 82 (Washington, DC: USGPO). Table adapted by SOURCEBOOK staff.

Table 5.66

Petitions for review on writ of certiorari to the U.S. Supreme Court filed, terminated, and pending

By circuit and nature of proceeding, fiscal year 1998

| Circuit and nature of proceeding | Pending Oct. 1, 1997 | Terminated | | | | Pending Sept. 30, 1998 | Circuit and nature of proceeding | Pending Oct. 1, 1997 | Terminated | | | | Pending Sept. 30, 1998 |
|----------------------------------|----------------------|------------|---------|--------|------------|------------------------|----------------------------------|----------------------|------------|---------|--------|------------|------------------------|
| | | Filed | Granted | Denied | Dis-missed | | | | Filed | Granted | Denied | Dis-missed | |
| Total | 2,229 | 4,995 | 109 | 4,655 | 26 | 2,434 | Sixth Circuit | 141 | 422 | 9 | 364 | 6 | 184 |
| Criminal | 726 | 1,856 | 17 | 1,828 | 2 | 735 | Criminal | 37 | 125 | 0 | 112 | 0 | 50 |
| U.S. civil | 391 | 721 | 23 | 669 | 15 | 405 | U.S. civil | 17 | 49 | 6 | 32 | 2 | 26 |
| Private civil | 1,013 | 2,286 | 62 | 2,042 | 7 | 1,188 | Private civil | 78 | 239 | 3 | 206 | 4 | 104 |
| Administrative appeals | 99 | 132 | 7 | 116 | 2 | 106 | Administrative appeals | 9 | 9 | 0 | 14 | 0 | 4 |
| District of Columbia | 34 | 123 | 3 | 126 | 0 | 28 | Seventh Circuit | 168 | 482 | 15 | 413 | 1 | 221 |
| Criminal | 9 | 39 | 1 | 38 | 0 | 9 | Criminal | 52 | 220 | 0 | 180 | 0 | 92 |
| U.S. civil | 15 | 38 | 1 | 44 | 0 | 8 | U.S. civil | 56 | 146 | 6 | 127 | 1 | 68 |
| Private civil | 7 | 22 | 1 | 20 | 0 | 8 | Private civil | 51 | 101 | 5 | 97 | 0 | 50 |
| Administrative appeals | 3 | 24 | 0 | 24 | 0 | 3 | Administrative appeals | 9 | 15 | 4 | 9 | 0 | 11 |
| First Circuit | 53 | 117 | 5 | 106 | 0 | 59 | Eighth Circuit | 327 | 418 | 22 | 317 | 10 | 396 |
| Criminal | 16 | 39 | 3 | 33 | 0 | 19 | Criminal | 69 | 119 | 2 | 101 | 0 | 85 |
| U.S. civil | 8 | 18 | 1 | 16 | 0 | 9 | U.S. civil | 78 | 55 | 1 | 60 | 10 | 62 |
| Private civil | 29 | 58 | 1 | 55 | 0 | 31 | Private civil | 170 | 228 | 19 | 150 | 0 | 229 |
| Administrative appeals | 0 | 2 | 0 | 2 | 0 | 0 | Administrative appeals | 10 | 16 | 0 | 6 | 0 | 20 |
| Second Circuit | 160 | 235 | 5 | 175 | 1 | 214 | Ninth Circuit | 603 | 967 | 12 | 837 | 0 | 721 |
| Criminal | 56 | 96 | 3 | 83 | 0 | 66 | Criminal | 211 | 284 | 0 | 264 | 0 | 231 |
| U.S. civil | 23 | 26 | 1 | 15 | 0 | 33 | U.S. civil | 107 | 151 | 6 | 125 | 0 | 127 |
| Private civil | 78 | 108 | 1 | 75 | 1 | 109 | Private civil | 236 | 511 | 6 | 424 | 0 | 317 |
| Administrative appeals | 3 | 5 | 0 | 2 | 0 | 6 | Administrative appeals | 49 | 21 | 0 | 24 | 0 | 46 |
| Third Circuit | 112 | 285 | 8 | 355 | 0 | 34 | Tenth Circuit | 86 | 298 | 7 | 290 | 0 | 87 |
| Criminal | 24 | 103 | 3 | 118 | 0 | 6 | Criminal | 23 | 125 | 2 | 120 | 0 | 26 |
| U.S. civil | 17 | 43 | 0 | 55 | 0 | 5 | U.S. civil | 16 | 43 | 0 | 44 | 0 | 15 |
| Private civil | 70 | 137 | 4 | 182 | 0 | 21 | Private civil | 45 | 126 | 5 | 121 | 0 | 45 |
| Administrative appeals | 1 | 2 | 1 | 0 | 0 | 2 | Administrative appeals | 2 | 4 | 0 | 5 | 0 | 1 |
| Fourth Circuit | 94 | 569 | 5 | 539 | 2 | 117 | Eleventh Circuit | 178 | 463 | 7 | 477 | 3 | 154 |
| Criminal | 17 | 219 | 0 | 211 | 1 | 24 | Criminal | 99 | 242 | 1 | 270 | 1 | 69 |
| U.S. civil | 14 | 92 | 0 | 84 | 0 | 22 | U.S. civil | 10 | 17 | 0 | 22 | 1 | 4 |
| Private civil | 59 | 239 | 3 | 231 | 0 | 64 | Private civil | 68 | 197 | 6 | 181 | 1 | 77 |
| Administrative appeals | 4 | 19 | 2 | 13 | 1 | 7 | Administrative appeals | 1 | 7 | 0 | 4 | 0 | 4 |
| Fifth Circuit | 273 | 616 | 11 | 656 | 3 | 219 | | | | | | | |
| Criminal | 113 | 245 | 2 | 298 | 0 | 58 | | | | | | | |
| U.S. civil | 30 | 43 | 1 | 45 | 1 | 26 | | | | | | | |
| Private civil | 122 | 320 | 8 | 300 | 1 | 133 | | | | | | | |
| Administrative appeals | 8 | 8 | 0 | 13 | 1 | 2 | | | | | | | |

Note: "Writ of certiorari" is an order by the appellate court that is used when the court has discretion on whether to hear an appeal. If the appellate court grants the writ, it has the effect of ordering the lower court to certify the record and send it up to the higher court, which will then hear the appeal. "U.S. civil" filings involve suits against the Federal Government brought in U.S. District Courts. "Private civil" filings involve suits wherein litigation is between States and/or private citizens. "Administrative appeals" include applications for enforcement or petitions for review of orders of an administrative board or agency. For a list of U.S. District Courts in each circuit, [see table 5.10](#).

Source: Administrative Office of the United States Courts, **Annual Report of the Director, 1998** (Washington, DC: Administrative Office of the United States Courts, 1999), pp. 99-101.

Table 5.67

U.S. Supreme Court cases argued and decided on merits

At conclusion of the October terms 1982-97

| October terms | Argued | | | | | | Decided on merits ^a | | | | | |
|----------------|--------|--------------------------|--|---|-----------------------------------|------------------------------|--------------------------------|--------------------------|--|--|---|------------------------------|
| | Total | Government participating | Government as petitioner or appellant ^b | Government as respondent or appellee ^b | Government as amicus ^c | Government not participating | Total | Government participating | Decided in favor of Government's position ^b | Decided against Government's position ^b | Not classifiable as for or against ^b | Government not participating |
| Number | | | | | | | | | | | | |
| 1982 | 183 | 131 | 44 | 44 | 43 | 52 | 283 | 172 | 115 | 50 | 7 | 111 |
| 1983 | 184 | 118 | 46 | 33 | 39 | 66 | 262 | 150 | 124 | 23 | 3 | 112 |
| 1984 | 175 | 114 | 37 | 34 | 43 | 61 | 236 | 146 | 113 | 30 | 3 | 90 |
| 1985 | 171 | 106 | 39 | 24 | 43 | 65 | 275 | 139 | 99 | 35 | 5 | 136 |
| 1986 | 175 | 104 | 27 | 32 | 45 | 71 | 282 | 140 | 98 | 36 | 6 | 142 |
| 1987 | 167 | 106 | 36 | 34 | 36 | 61 | 251 | 135 | 82 | 38 | 15 | 116 |
| 1988 | 170 | 91 | 25 | 25 | 41 | 79 | 265 | 122 | 86 | 25 | 11 | 143 |
| 1989 | 146 | 89 | 26 | 23 | 40 | 57 | 224 | 108 | 67 | 39 | 2 | 116 |
| 1990 | 125 | 77 | 10 | 32 | 35 | 48 | 232 | 107 | 74 | 31 | 2 | 125 |
| 1991 | 123 | 84 | 26 | 17 | 41 | 39 | 183 | 103 | 76 | 22 | 5 | 80 |
| 1992 | 116 | 88 | 24 | 23 | 41 | 28 | 206 | 126 | 84 | 36 | 6 | 80 |
| 1993 | 99 | 70 | 11 | 20 | 39 | 29 | 157 | 97 | 56 | 37 | 4 | 60 |
| 1994 | 94 | 64 | 21 | 16 | 27 | 30 | 146 | 84 | 48 | 33 | 3 | 62 |
| 1995 | 90 | 68 | 13 | 28 | 27 | 22 | 189 | 129 | 50 | 70 ^d | 9 | 60 |
| 1996 | 90 | 68 | 18 | 19 | 31 | 22 | 160 | 103 | 72 | 21 | 10 | 57 |
| 1997 | 96 | 70 | 13 | 26 | 31 | 26 | 146 | 83 | 55 | 26 | 2 | 63 |
| Percent | | | | | | | | | | | | |
| 1982 | 100% | 72% | 34% | 34% | 33% | 28% | 100% | 61% | 67% | 29% | 4% | 39% |
| 1983 | 100 | 64 | 39 | 28 | 33 | 36 | 100 | 57 | 83 | 15 | 2 | 43 |
| 1984 | 100 | 65 | 32 | 30 | 38 | 35 | 100 | 62 | 77 | 21 | 2 | 38 |
| 1985 | 100 | 62 | 37 | 23 | 41 | 38 | 100 | 51 | 71 | 25 | 4 | 49 |
| 1986 | 100 | 59 | 26 | 31 | 43 | 41 | 100 | 50 | 70 | 26 | 4 | 50 |
| 1987 | 100 | 63 | 34 | 32 | 34 | 37 | 100 | 54 | 61 | 28 | 11 | 46 |
| 1988 | 100 | 54 | 27 | 27 | 45 | 46 | 100 | 46 | 70 | 20 | 9 | 54 |
| 1989 | 100 | 61 | 29 | 26 | 45 | 39 | 100 | 48 | 62 | 36 | 2 | 52 |
| 1990 | 100 | 62 | 13 | 42 | 45 | 38 | 100 | 46 | 69 | 29 | 2 | 54 |
| 1991 | 100 | 68 | 31 | 20 | 49 | 32 | 100 | 56 | 74 | 21 | 5 | 44 |
| 1992 | 100 | 76 | 27 | 26 | 47 | 24 | 100 | 61 | 67 | 29 | 5 | 39 |
| 1993 | 100 | 71 | 16 | 29 | 56 | 29 | 100 | 62 | 58 | 38 | 4 | 38 |
| 1994 | 100 | 68 | 33 | 25 | 42 | 32 | 100 | 58 | 57 | 39 | 4 | 42 |
| 1995 | 100 | 76 | 19 | 41 | 40 | 24 | 100 | 68 | 39 | 54 | 7 | 32 |
| 1996 | 100 | 76 | 26 | 28 | 45 | 24 | 100 | 64 | 70 | 20 | 10 | 36 |
| 1997 | 100 | 73 | 19 | 37 | 44 | 27 | 100 | 57 | 66 | 31 | 2 | 43 |

Note: The data above represent actions taken during the annual terms of the U.S. Supreme Court. "Amicus" refers to a party who is not involved directly in the suit, but who demonstrates an interest in the case by filing a supportive brief. "Decided on merits" refers to a reassessment and resolution of the substantive issues presented in the case, but that does not involve active participation of the litigants through the filing of written and oral arguments.

^aIncludes cases summarily affirmed, reversed, or vacated on the In Forma Pauperis Docket.

^bPercent is based on the total cases in which the Government participated.

^cIncludes cases in which the Government filed briefs as amicus curiae but did not participate in the argument.

^dIncludes 43 cases that were vacated and remanded for further consideration in light of *Bailey v. U.S.A.*, 94-7448. The case involved the review of two convictions under 18 USC 924 (c)(1), which imposes a mandatory prison term on anyone using or carrying a firearm during the commission of a drug trafficking crime.

Source: Table adapted from tables provided to SOURCEBOOK staff by the U.S. Department of Justice, Office of the Solicitor General.

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Table 5.68

Executive clemency applications for Federal offenses received, disposed of, and pending in the Office of the U.S. Pardon Attorney

Fiscal years 1953-98

| Fiscal year | Pending from previous fiscal year | Received | Granted | | Denied |
|-------------|---|----------|---------|--------------|--------|
| | | | Pardons | Commutations | |
| 1953 | 543 | 599 | 97 | 8 | 356 |
| 1954 | 681 | 461 | 55 | 7 | 348 |
| 1955 | 732 | 662 | 59 | 4 | 684 |
| 1956 | 647 | 585 | 192 | 9 | 568 |
| 1957 | 463 | 585 | 232 | 4 | 443 |
| 1958 | 369 | 406 | 98 | 6 | 302 |
| 1959 | 369 | 434 | 117 | 2 | 286 |
| 1960 | 398 | 437 | 149 | 5 | 244 |
| 1961 | 437 | 481 | 226 | 18 | 266 |
| 1962 | 408 | 595 | 166 | 16 | 315 |
| 1963 | 506 | 592 | 133 | 45 | 233 |
| 1964 | 687 | 921 | 315 | 73 | 437 |
| 1965 | 783 | 1,008 | 195 | 80 | 569 |
| 1966 | 947 | 865 | 364 | 81 | 726 |
| 1967 | 641 | 863 | 222 | 23 | 520 |
| 1968 | 739 | 749 | 13 | 3 | 415 |
| 1969 | 1,057 | 724 | 0 | 0 | 505 |
| 1970 | 1,276 | 459 | 82 | 14 | 698 |
| 1971 | 941 | 454 | 157 | 16 | 648 |
| 1972 | 574 | 516 | 235 | 20 | 410 |
| 1973 | 425 | 485 | 202 | 5 | 341 |
| 1974 | 362 | 426 | 187 | 8 | 337 |
| 1975 | 256 | 610 | 147 | 9 | 325 |
| 1976 | 385 | 742 | 106 | 11 | 442 |
| 1977 | 568 | 738 | 129 | 8 | 301 |
| 1978 | 868 | 641 | 162 | 3 | 836 |
| 1979 | 508 | 710 | 143 | 10 | 448 |
| 1980 | 617 | 523 | 155 | 11 | 500 |
| 1981 | 474 | 547 | 76 | 7 | 259 |
| 1982 | 679 | 462 | 83 | 3 | 547 |
| 1983 | 508 | 447 | 91 | 2 | 306 |
| 1984 | 556 | 447 | 37 | 5 | 326 |
| 1985 | 635 | 407 | 32 | 3 | 279 |
| 1986 | 728 | 362 | 55 | 0 | 290 |
| 1987 | 745 | 410 | 23 | 0 | 311 |
| 1988 | 824 | 384 | 38 | 0 | 497 |
| 1989 | 673 | 373 | 41 | 1 | 392 |
| 1990 | 616 | 354 | 0 | 0 | 289 |
| 1991 | 681 | 318 | 29 | 0 | 681 |
| 1992 | 289 | 379 | 0 | 0 | 192 |
| 1993 | 476 | 868 | 36 | 2 | 251 |
| 1994 | 1,048 | 808 | 0 | 0 | 785 |
| 1995 | 1,071 | 612 | 53 | 3 | 588 |
| 1996 | 1,039 | 512 | 0 | 0 | 371 |
| 1997 | 1,174 | 685 | 0 | 0 | 555 |
| 1998 | 1,304 | 608 | 21 | 0 | 378 |

Note: Article II, Section 2 of the U.S. Constitution authorizes the President to grant executive clemency for Federal offenses. The U.S. Pardon Attorney, in consultation with the Deputy Attorney General, receives and reviews all petitions for executive clemency, initiates the necessary investigations, and prepares the recommendations of the Deputy Attorney General to the President (Source, **1980**, p. 35). Clemency may be a reprieve, remission of fine, commutation, or pardon. A "pardon," which is generally considered only after sentence completion, restores basic civil rights and may aid in the reinstatement of professional or trade licenses that may have been lost as a result of the conviction. A "commutation" is a reduction of sentence. Commutations include remission of fines. Petitions denied also include those that are closed administratively. The figures presented in this table do not include clemency actions on draft resisters, or military deserters and absentees during the Vietnam war era.

Source: U.S. Department of Justice, Office of the Attorney General, *The Annual Report of the Attorney General of the United States 1979*, p. 31; **1980**, p. 35 (Washington, DC: USGPO); and data provided by the U.S. Department of Justice, Office of the Pardon Attorney. Table adapted by SOURCEBOOK staff.

Table 5.69

Judicial misconduct complaints and dispositions handled by judicial conduct organizations

By type of disposition and State, 1996-97

| | Complaints | | | | Disposition of complaints | | | | |
|---------------------------|--|----------------------------------|------------------------------------|---|---------------------------|-----------------------------------|-------------------------------------|--|---|
| | Pending at beginning of reporting period | Received during reporting period | Pending at end of reporting period | Dismissed without formal or informal action | Informal action taken | Judge vacated office ^a | Case dismissed after formal hearing | Judge privately censured, admonished, or reprimanded | Judge publicly censured, admonished, or reprimanded |
| Alabama ^c | 8 | 264 | 27 | 239 | 9 | 0 | 0 | (d) | 1 |
| Alaska | 12 | 49 | 19 | 39 | 1 | 0 | 0 | 1 | 0 |
| Arizona | 60 | 254 | 48 | 227 | 30 | 2 | 0 | 30 | 0 |
| Arkansas | 115 | 250 | 157 | 196 | 1 | 2 | 0 | (d) | 7 |
| California | 107 | 1,183 | 108 | 1,114 | 43 | 2 | 4 | 10 | 5 |
| Colorado | 2 | 114 | 0 | 109 | 0 | 3 | 0 | 4 | 0 |
| Connecticut | 17 | 102 | 15 | 0 | 0 | 0 | NA | 0 | 1 |
| Delaware | 8 | 32 | 3 | 33 | (d) | 0 | 3 | (d) | 1 |
| District of Columbia | 4 | 14 | 1 | 16 | 1 | 0 | 0 | 0 | 0 |
| Florida | 4 | 513 | 2 | 424 | 13 | 4 | 0 | (d) | 2 |
| Georgia | 16 | 74 | 9 | 62 | 17 | 1 | 0 | 7 | 0 |
| Hawaii | 2 | 51 | 12 | 41 | 1 | 0 | 0 | 0 | 0 |
| Idaho | 26 | 202 | 12 | 55 | 3 | 0 | 0 | 2 | (d) |
| Illinois | 161 | 41 ^f | 217 | 283 | 97 | 0 | 0 | 0 | 0 |
| Kansas | 9 | 347 | 11 | 311 | 10 | 0 | 0 | 1 | 4 |
| Kentucky | 18 | 200 | 13 | 190 | 10 | 1 | 0 | 1 | 2 |
| Louisiana | 138 | -- | 81 | 210 | 122 | 27 | 1 | 2 | 2 |
| Maine | 7 | 38 | 5 | 40 | 4 | 0 | 0 | 0 | 0 |
| Michigan | 203 | 630 | 231 | 563 ^f | 25 ^f | 3 | 0 | 10 | 2 |
| Minnesota | 14 | 111 | 13 | 106 | 12 | 0 | 0 | 0 | 2 |
| Mississippi | 41 | 335 | 46 | 297 | 16 | 0 | 1 | 1 | 5 |
| Missouri | 35 | 202 | 28 | 189 | 16 | 0 | 0 | 16 | 0 |
| Nebraska | 10 | 64 | 14 | 6 | 0 | 0 | 0 | (d) | 0 |
| Nevada | 32 | 110 | 19 | 100 | 1 | 2 | 0 | (d) | 1 |
| New Hampshire | 17 | 80 | 25 | 61 | 6 | 0 | 0 | 5 | 0 |
| New Jersey | 55 | 267 | 35 | 271 | 3 | 3 | 0 | 12 | 1 |
| New Mexico | NA | 94 | NA | 118 | 15 | 14 | 1 | 0 | 0 |
| New York | 172 | 1,403 | 152 | 1,317 | 49 | 28 | 2 | (d) | 14 |
| North Carolina | 17 | 202 | 25 | 179 | 0 | 1 | 0 | 5 | 1 |
| North Dakota | 12 | 36 | 11 | 36 | 0 | 0 | 0 | 1 | 0 |
| Ohio ^h | 11 | 463 | 20 | 365 | (d) | 0 | 0 | (d) | 2 |
| Oregon | 10 | 118 | 3 | 119 | 6 | 0 | 0 | (d) | 0 |
| Pennsylvania ⁱ | 167 | 532 | 128 | 541 | 24 | 0 | 0 | 0 | 2 |
| Rhode Island | 4 | 19 | 3 | 18 | 1 | 0 | 0 | 2 | 0 |
| South Carolina | 24 | 206 | 60 | 91 | 10 | 1 | 0 | 6 | 4 |
| South Dakota | 1 | 13 | 1 | 13 | 0 | 0 | 0 | 0 | 0 |
| Tennessee | 198 | 224 | 215 | 193 | 0 | 4 | 0 | 7 | (d) |
| Texas | 386 | 789 | 348 | 758 | (d) | 3 | 0 | 32 | 7 |
| Utah | 49 | 95 | 66 | 76 | 6 | 1 | 0 | 1 | 2 |
| Washington | 60 | 251 | 83 | 205 | (d) | 6 | 0 | (d) | 3 |
| West Virginia | 43 | 244 | 28 | 243 | 4 | 2 | 2 | (d) | 4 |
| Wisconsin | 7 | 344 | 10 | 343 | 4 | 1 | 0 | (d) | 1 |
| Wyoming | 6 | 28 | 6 | 27 | 0 | 0 | 0 | 0 | (d) |

Note: The Center for Judicial Conduct Organizations conducts annual surveys of judicial conduct organizations. These organizations are typically State agencies created by statute or constitutional amendment with the mandate to receive, investigate, and dispose of complaints regarding judicial misconduct. The judicial conduct organizations handle complaints such as judicial prejudice or bias, slow processing of orders, procedural or administrative irregularity, courtroom demeanor, and conflict of interest. (The Center for Judicial Conduct Organizations, *Judicial Conduct Reporter* 3 (Fall 1981), p. 2.) A confidentiality provision prohibits revealing disposition of complaints in Virginia. Information was not available for Iowa, Massachusetts, Montana, Oklahoma, and Vermont. Cross-jurisdiction comparisons should be done cautiously due to differences among the States in reporting periods, definitions of complaints, authorized sanctions, and recording practices. For the States of Alabama, Alaska, Arizona, California, Connecticut, Idaho, Illinois, Kansas, Kentucky, Michigan, Mississippi, Missouri, Nevada, North Carolina, Rhode Island, South Carolina, Tennessee, Utah, Washington, and West Virginia, any discrepancies in totals are due to multiple or consolidated complaints and/or dispositions.

Judicial conduct organizations use different reporting periods. Many of the statistics in this table are for calendar year 1997. Other reporting periods are: 9/96 to 8/97 for Texas; 8/97 to 8/98 for Tennessee; 9/96 to 9/97 for New Jersey; 1/96 to 12/96 for Maine, Minnesota, Ohio; 7/97 to 6/98 for Georgia, Illinois, New Mexico, Pennsylvania, South Carolina, South Dakota, Utah; 7/96 to 6/97 for Connecticut, Florida, Hawaii, Kentucky, Missouri, Nevada, Washington; 10/96 to 9/97 for Alabama, District of Columbia.

^aIncludes judges who vacated office while investigation was pending or after formal charges were filed.

^bThis category encompasses a number of statuses including misconduct cases that were pending before the supreme court, judges who were suspended as an interim sanction, orders for education, retirement, and disability.

^cAlabama has a two-tier judicial disciplinary system. The Judicial Inquiry Commission receives and investigates complaints. The Court of the Judiciary hears complaints filed by the commission and issues a judgment.

^dSanction not available in the jurisdiction.

^eThe Delaware Constitution empowers the Court on the Judiciary to "censure, remove or retire" any judicial officer. The constitution does not specifically provide that the Court may suspend, fine, or assess fees or costs; however, case law has made it clear that the power to suspend a judicial officer is inherent in the express powers granted to the Court by the constitution. Whether the Court has the inherent authority to impose other lesser sanctions, such as a fine, fees, or costs or interim suspension, is not clearly settled.

^fApproximate.

^gThe supreme court has not decided if it has the authority to impose a fine.

^hFigures are from the Disciplinary Counsel for the Supreme Court, which handles over 90% of the complaints against Ohio judges. The balance are handled by State or local certified grievance committees.

ⁱPennsylvania has a two-tier judicial disciplinary system. These numbers are for the Judicial Conduct Board, which files charges with the Court of Judicial Discipline.

Source: American Judicature Society, Center for Judicial Conduct Organizations, *Judicial Conduct Reporter*, Vol. 20, No. 4 (Chicago: American Judicature Society, Winter 1999), pp. 2, 3. Table adapted by SOURCEBOOK staff. Reprinted by permission.

| Judge suspended as final sanction | Fine imposed | Judge removed from office | Other ^b |
|---|--------------|---------------------------------|--------------------|
| 1 | (d) | 0 | 0 |
| 0 | (d) | 0 | 1 |
| 1 | (d) | 0 | 0 |
| 0 | (d) | 0 | 0 |
| (d) | (d) | 0 | 0 |
| (d) | 0 | 0 | 0 |
| NA | (d) | 0 | NA |
| 1 | (e) | 0 | 0 |
| (d) | (d) | 0 | 0 |
| 0 | 0 | 1 | 1 |
| (d) | (d) | 1 | 0 |
| 0 | (d) | 0 | 0 |
| 0 | 0 | 0 | 0 |
| 0 | (d) | 0 | 0 |
| (d) | (g) | 0 | 0 |
| 1 | (d) | 0 | 0 |
| 0 | (d) | 1 | 1 |
| 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 |
| 1 | 3 | 0 | 1 |
| 1 | (d) | 0 | 3 |
| 0 | 0 | 0 | 0 |
| (d) | 0 | 0 | 1 |
| 0 | 0 | 0 | 0 |
| 0 | (d) | 0 | 0 |
| 0 | 0 | 0 | -- |
| (d) | (d) | 6 | 0 |
| (d) | (d) | 0 | 4 |
| 0 | (d) | 0 | 0 |
| 0 | (d) | 0 | 0 |
| 0 | (d) | 0 | 1 |
| 1 | (d) | 0 | (d) |
| 0 | (d) | 0 | 1 |
| (d) | 1 | 0 | 1 |
| 0 | (d) | 0 | 0 |
| 1 | (d) | 1 | 1 |
| (d) | (d) | 0 | 12 |
| 0 | (d) | 0 | 0 |
| 0 | (d) | 0 | (d) |
| 0 | 0 | 0 | 1 |
| 0 | (d) | 0 | 0 |
| 0 | (d) | 0 | 0 |

Table 5.70

Criminal tax fraud cases initiated by the Internal Revenue Service Criminal Investigation Division
By type of disposition, fiscal years 1976-98^a

| Fiscal year | Cases initiated by Criminal Investigation Division | Disposed of by Criminal Investigation Division | | Disposed of by Office of Chief Counsel | |
|-------------|--|--|-----------------------------|---|-------------|
| | | Prosecution recommended | Prosecution not recommended | Prosecution not warranted, including cases declined by the U.S. Department of Justice | Convictions |
| 1976 | 9,035 | 3,147 | 5,650 | 589 | 2,037 |
| 1977 | 8,901 | 3,408 | 5,459 | 486 | 2,161 |
| 1978 | 9,481 | 3,439 | 5,969 | 597 | 2,153 |
| 1979 | 9,780 | 3,338 | 6,252 | 800 | 2,515 |
| 1980 | 7,114 | 2,267 | 6,329 | 1,285 | 2,321 |
| 1981 | 5,838 | 1,978 | 3,701 | 571 | 1,621 |
| 1982 | 6,498 | 2,297 | 3,852 | 293 | 1,680 |
| 1983 | 5,910 | 2,610 | 3,549 | 257 | 1,489 |
| 1984 | 6,194 | 2,990 | 3,446 | 267 | 1,806 |
| 1985 | 6,065 | 3,234 | 3,015 | 253 | 2,025 |
| 1986 | 5,861 | 3,524 | 2,654 | 249 | 2,460 |
| 1987 | 5,511 | 3,526 | 2,354 | 186 | 2,556 |
| 1988 | 4,899 | 3,044 | 2,167 | 277 | 2,491 |
| 1989 | 5,417 | 3,242 | 2,011 | 199 | 2,282 |
| 1990 | 5,280 | 3,228 | 2,015 | 192 | 2,472 |
| 1991 | 5,208 | 3,677 | 1,951 | 142 | 2,911 |
| 1992 | 6,537 | 4,252 | 1,823 | 97 | 2,950 |
| 1993 | 6,146 | 4,266 | 1,726 | 142 | 3,216 |
| 1994 | 5,346 | 3,748 | 1,867 | 171 | 3,130 |
| 1995 | 5,000 | 3,614 | 1,649 | 106 | 2,948 |
| 1996 | 5,334 | 3,605 | 1,568 | 92 | 2,915 |
| 1997 | 5,335 | 3,817 | 1,437 | 115 | 3,110 |
| 1998 | 4,655 | 3,527 | 1,298 | 138 | 3,000 |

Note: The Criminal Investigation Division of the Internal Revenue Service is responsible for enforcing the criminal provisions of the tax laws, investigating evidence of tax evasion or tax fraud, identifying and investigating persons who derive substantial income from illegal activities and who violate tax laws, investigating money laundering violations under the Bank Secrecy Act (Title 31), and recommending prosecution (Source, **1978**, p. 30).

The Criminal Tax Division of the Office of Chief Counsel handles criminal tax legal matters for the Internal Revenue Service, reviews criminal cases and decides if cases warrant prosecution, coordinates criminal tax prosecutions with the U.S. Department of Justice, and provides assistance to U.S. attorneys in criminal tax trials upon request (Source, **1978**, p. 53). Some cases referred by the Criminal Investigation Division may not go through the Office of Chief Counsel. For example, recommendations to prosecute money laundering violations are referred directly to U.S. attorneys.

Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aThe time between initiation of an investigation and closure of a case almost always crosses more than one fiscal year. Data are reported for the year in which the action happened; prosecution decisions and convictions may or may not be a result of cases initiated in the same fiscal year.

Source: U.S. Department of the Treasury, Internal Revenue Service, **Annual Report of the Commissioner of Internal Revenue, 1976**, p. 151; **1977**, p. 139; **1978**, p. 98 (Washington, DC: USGPO); and data provided by the U.S. Department of the Treasury, Internal Revenue Service. Table adapted by SOURCEBOOK staff.

Table 5.71

Criminal tax fraud cases handled by the Internal Revenue Service Office of Chief CounselBy type of disposition, fiscal years 1976-98^a

| Fiscal year | Referrals by Office of Chief Counsel for prosecution ^b | Grand jury action | | | Disposition | | |
|-------------|---|------------------------------|--------------|-----------------------------------|-----------------------|-----------|-----------------------------|
| | | Indictments and informations | No true bill | Plea of guilty or nolo contendere | Convicted after trial | Acquitted | Nolle prosequi or dismissed |
| 1976 | 2,037 | 1,331 | 1 | 977 | 216 | 77 | 71 |
| 1977 | 2,695 | 1,636 | 31 | 1,229 | 247 | 55 | 110 |
| 1978 | 2,634 | 1,724 | 11 | 1,189 | 225 | 70 | 119 |
| 1979 | 2,883 | 1,820 | 26 | 1,270 | 342 | 86 | 183 |
| 1980 | 2,726 | 1,832 | 15 | 1,337 | 264 | 80 | 193 |
| 1981 | 1,955 | 1,785 | 9 | 1,212 | 282 | 81 | 142 |
| 1982 | 2,176 | 1,844 | 10 | 1,291 | 333 | 65 | 145 |
| 1983 | 2,457 | 1,801 | 3 | 1,203 | 295 | 69 | 146 |
| 1984 | 2,873 | 2,158 | 3 | 1,444 | 364 | 54 | 152 |
| 1985 | 3,133 | 2,452 | 4 | 1,611 | 414 | 68 | 149 |
| 1986 | 3,594 | 2,954 | 6 | 1,992 | 468 | 83 | 209 |
| 1987 | 3,420 | 2,906 | 4 | 2,115 | 441 | 71 | 198 |
| 1988 | 3,169 | 2,769 | 8 | 2,074 | 417 | 74 | 205 |
| 1989 | 3,225 | 2,669 | 7 | 1,931 | 351 | 67 | 260 |
| 1990 | 3,276 | 2,875 | 7 | 2,079 | 393 | 59 | 235 |
| 1991 | 3,729 | 3,341 | 4 | 2,410 | 501 | 94 | 205 |
| 1992 | 4,189 | 3,782 | 3 | 2,538 | 412 | 79 | 202 |
| 1993 | 4,000 | 3,575 | 3 | 2,770 | 446 | 88 | 197 |
| 1994 | 3,934 | 3,440 | 0 | 2,733 | 397 | 96 | 249 |
| 1995 | 3,533 | 3,386 | 4 | 2,623 | 325 | 86 | 327 |
| 1996 | 3,575 | 3,274 | 0 | 2,579 | 336 | 71 | 332 |
| 1997 | 3,852 | 3,531 | 0 | 2,701 | 409 | 38 | 207 |
| 1998 | 3,502 | 3,180 | 4 | 2,680 | 320 | 54 | 237 |

Note: See Note, table 5.70. An indictment is the charging document of the grand jury and an information is the charging document filed by the U.S. attorney. "No true bill" refers to cases in which the grand jury decides not to indict the defendant. "Nolo contendere" is a plea in a criminal case that has a similar legal effect as pleading guilty. The difference between a plea of guilty and a plea of nolo contendere is that the latter may not be used against the defendant in a civil action based on the same acts. A "nolle prosequi" disposition occurs when a prosecutor decides not to prosecute a case. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^bIncludes cases approved by the Office of Chief Counsel plus cases that are referred directly to the U.S. Department of Justice and to U.S. attorneys by the Criminal Investigation Division.

Source: U.S. Department of the Treasury, Internal Revenue Service, *Annual Report of the Commissioner of Internal Revenue, 1976*, p. 61; *1977*, p. 48; *1978*, p. 53 (Washington, DC: USGPO); and data provided by the U.S. Department of the Treasury, Internal Revenue Service. Table adapted by SOURCEBOOK staff.

^aThe time between initiation of an investigation and closure of a case almost always crosses more than one fiscal year. Data are reported for the year in which the action happened, thus indictments/informations filed, convictions, and sentences may or may not be a result of case initiations in the same fiscal year.

Table 5.72

Arrests and convictions handled by the U.S. Postal Inspection Service and the Office of Inspector General^a

Fiscal years 1981-98

| Fiscal year | Total | | Mail fraud | |
|-------------------|---------|-------------|------------|-------------|
| | Arrests | Convictions | Arrests | Convictions |
| 1981 | 5,358 | 5,410 | 1,100 | 1,046 |
| 1982 | 5,658 | 4,783 | 1,026 | 966 |
| 1983 | 6,254 | 5,019 | 1,194 | 938 |
| 1984 | 6,426 | 5,095 | 1,272 | 1,042 |
| 1985 | 7,115 | 5,570 | 1,142 | 887 |
| 1986 | 8,620 | 6,608 | 1,435 | 1,131 |
| 1987 | 9,006 | 7,732 | 1,304 | 1,206 |
| 1988 | 10,470 | 8,114 | 1,488 | 1,015 |
| 1989 | 11,502 | 9,479 | 1,543 | 1,225 |
| 1990 | 12,060 | 9,614 | 1,699 | 1,486 |
| 1991 | 13,513 | 10,320 | 1,772 | 1,297 |
| 1992 | 14,578 | 11,359 | 1,904 | 1,582 |
| 1993 | 14,263 | 12,428 | 1,965 | 1,900 |
| 1994 | 11,514 | 10,588 | 1,730 | 1,571 |
| 1995 | 10,920 | 10,038 | 1,538 | 1,473 |
| 1996 | 10,540 | 9,097 | 1,547 | 1,342 |
| 1997 ^a | 10,668 | 10,013 | 1,545 | 1,533 |
| 1998 ^a | 10,095 | 9,642 | 1,396 | 1,533 |

Note: The U.S. Postal Inspection Service is the law enforcement arm of the U.S. Postal Service. Responsibilities include reviewing U.S. Postal Service programs and projects (e.g., financial audits and program evaluations), safeguarding U.S. Postal Service assets (e.g., investigating worker compensation claims and employee embezzlement), protecting the work environment of postal employees (e.g., investigating threats and assaults against postal employees while on duty and removal of employees using and/or selling narcotics on postal property), and preserving the integrity of the mail and its use (e.g., investigating employee crime and non-employee crime related to the U.S. Postal Service).

In September 1996 the Office of Inspector General (OIG) was established. The purpose of the OIG is to audit and investigate Postal Service programs and operations, and to ensure the efficiency and integrity of the Postal Service. The OIG also has oversight authority for activities performed by the Postal Inspection Service. During fiscal year 1997, while OIG was being established, the Postal Inspection Service continued to perform program reviews and audits, and conduct investigations. OIG progressively will assume these review functions as staff increases. (Source, **1997**, p. 2.) Therefore, the data presented for 1997 and 1998 include the activities of both the Postal Inspection Service and the OIG.

The number of convictions may be greater than the number of arrests in a given year because convictions may occur in a year subsequent to an arrest.

^aBeginning in 1997, these data also include enforcement activities of the Office of Inspector General, established in September 1996.

Source: U.S. Postal Service, U.S. Postal Inspection Service, *Semiannual Report, April 1 - September 30, 1991*, p. 55; *April 1 - September 30, 1992*, p. 65; *April 1 - September 30, 1993*, p. 60; *April 1 - September 30, 1994*, p. 63; *April 1 - September 30, 1995*, p. 47; *April 1 - September 30, 1996*, p. 56 (Washington, DC: U.S. Postal Inspection Service); U.S. Postal Service, Office of Inspector General, *Semiannual Report, April 1 - September 30, 1997*, p. 63; *Semiannual Report, April 1, 1998 - September 30, 1998*, pp. 100, 101 (Washington, DC: U.S. Postal Service); and data provided by the U.S. Postal Service, U.S. Postal Inspection Service. Table constructed by SOURCEBOOK staff.

Table 5.73

Arrests and convictions handled by the U.S. Postal Inspection Service and the Office of Inspector General

By type of offense, fiscal year 1998

| Type of offense | Arrests | Convictions |
|---|---------|-------------|
| Total | 10,095 | 9,642 |
| <u>Internal crime</u> | | |
| Mail theft | 542 | 495 |
| Narcotics related | 15 | 31 |
| Miscellaneous | 68 | 64 |
| <u>External crime</u> | | |
| Mail theft | 4,397 | 3,874 |
| Burglary | 193 | 228 |
| Robbery | 149 | 139 |
| Assault | 499 | 381 |
| Miscellaneous | 501 | 454 |
| <u>Prohibited mailings</u> | | |
| Pornography/obscenity | 173 | 174 |
| Controlled substances | 1,569 | 1,672 |
| Bombs/explosive devices | 52 | 96 |
| Miscellaneous | 91 | 76 |
| <u>Revenue and Asset Protection Program</u> | | |
| Expenditure investigations | 21 | 14 |
| Financial investigations | 285 | 279 |
| Workers' Compensation fraud | 59 | 53 |
| Revenue investigations | 85 | 79 |
| Mail fraud | 1,396 | 1,533 |

Note: See Note, table 5.72. Internal crimes are those involving employees of the U.S. Postal Service and external crimes are those committed by individuals or groups outside the organization. Internal mail theft involves contractors and some non-employees engaged in mail-related work such as mailroom employees. Narcotics cases include both employees and non-employees selling narcotics on postal property. Miscellaneous internal crimes include theft of postal property and sabotage of equipment. External mail theft includes theft and possession of stolen mail. Assault includes threats and assaults against on-duty postal employees. Miscellaneous external crimes include counterfeit and contraband postage, money order offenses, vandalism, and arson. Pornography/obscenity includes mailing of child pornography, obscenity, or sexually-oriented advertisements. Controlled substances include narcotics, steroids, drug-related proceeds, and drug paraphernalia. Miscellaneous prohibited mailings include hazardous material, firearms and weapons, intoxicants, explosives other than bombs, extortion, and false documents.

The Revenue and Asset Protection Program (RAPP) was established in 1995 and combines portions of the audit and criminal investigation activities. The objective of RAPP is to give priority to the protection of postal revenue and assets. Activities include reviewing internal controls, examining unfavorable trends and significant variations in activity, and pursuing information received through financial audits, customer complaints, and anonymous tips.

Source: U.S. Postal Service, Office of Inspector General, *Semiannual Report, April 1, 1998 - September 30, 1998* (Washington, DC: U.S. Postal Service, 1998), pp. 100, 101.

Table 5.74

Prosecutions for violations of U.S. immigration and nationality laws

By type of case and disposition, and aggregate fines and imprisonment imposed,
fiscal years 1987-97

| Type of case and disposition | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------|-----------|-------------|-----------|
| Total, all cases | 18,894 | 18,360 | 18,580 | 20,079 | 18,882 | 14,655 | 14,429 | 11,518 | 13,557 | 14,173 | 17,081 |
| Dismissals ^a | 6,653 | 6,037 | 5,914 | 7,310 | 7,293 | 4,733 | 2,713 | 1,292 | 1,410 | 1,998 | 885 |
| Acquittals | 245 | 115 | 105 | 50 | 80 | 57 | 31 | 16 | 72 | 54 | 12 |
| Convictions | 11,996 | 12,208 | 12,561 | 12,719 | 11,509 | 9,865 | 11,685 | 10,210 | 12,075 | 12,121 | 16,184 |
| Aggregate fines imposed | \$1,489,491 | \$2,528,308 | \$1,830,594 | \$2,935,664 | \$2,622,659 | \$1,673,488 | \$1,074,717 | \$450,729 | \$906,675 | \$1,101,592 | \$751,500 |
| Aggregate imprisonment (in years) | 5,382 | 5,012 | 4,579 | 5,749 | 5,748 | 5,592 | 6,413 | 6,214 | 6,834 | 6,793 | 11,038 |
| Immigration cases, total | 18,200 | 17,590 | 17,992 | 19,351 | 18,297 | 14,138 | 14,363 | 11,485 | 13,519 | 14,136 | 17,004 |
| Dismissals ^a | 6,169 | 5,547 | 5,508 | 6,788 | 6,828 | 4,315 | 2,713 | 1,292 | 1,409 | 1,996 | 883 |
| Acquittals | 245 | 114 | 105 | 48 | 77 | 57 | 31 | 15 | 72 | 54 | 12 |
| Convictions | 11,786 | 11,929 | 12,379 | 12,515 | 11,392 | 9,766 | 11,619 | 10,178 | 12,038 | 12,086 | 16,109 |
| Aggregate fines imposed | \$1,462,941 | \$2,523,933 | \$1,828,694 | \$2,872,279 | \$2,508,084 | \$1,670,839 | \$1,069,757 | \$444,909 | \$894,825 | \$1,101,292 | \$734,261 |
| Aggregate imprisonment (in years) | 5,196 | 4,946 | 4,558 | 5,642 | 5,610 | 5,550 | 6,384 | 6,198 | 6,811 | 6,774 | 11,014 |
| Nationality cases, total | 694 | 770 | 588 | 728 | 585 | 517 | 66 | 33 | 38 | 37 | 77 |
| Dismissals ^a | 484 | 490 | 406 | 522 | 465 | 418 | 0 | 0 | 1 | 2 | 2 |
| Acquittals | 0 | 1 | 0 | 2 | 3 | 0 | 0 | 1 | 0 | 0 | 0 |
| Convictions | 210 | 279 | 182 | 204 | 117 | 99 | 66 | 32 | 37 | 35 | 75 |
| Aggregate fines imposed | \$26,550 | \$4,375 | \$1,900 | \$63,385 | \$114,575 | \$2,649 | \$4,960 | \$5,820 | \$11,850 | \$300 | \$17,239 |
| Aggregate imprisonment (in years) | 186 | 66 | 21 | 107 | 138 | 42 | 29 | 16 | 23 | 19 | 24 |

Note: Violations of nationality laws include false representations as citizens of the United States, false statements and procurement of citizenship or naturalization unlawfully, and reproduction of citizenship and naturalization papers. Data for 1993-96 have been revised by the Source and will differ from previous editions of SOURCEBOOK.

^aDismissed or otherwise closed.

Source: Table provided to SOURCEBOOK staff by the U.S. Department of Justice, Immigration and Naturalization Service.

Table 5.75

Convictions for violations of U.S. immigration and nationality laws

By offense, fiscal years 1986-97

| Offense | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|---|--------|--------|--------|--------|--------|--------|-------|--------|--------|--------|--------|--------|
| Total | 15,259 | 11,996 | 12,208 | 12,561 | 12,529 | 11,509 | 9,865 | 11,685 | 10,210 | 12,075 | 12,121 | 16,184 |
| Violations of immigration laws | 15,104 | 11,786 | 11,929 | 12,379 | 12,325 | 11,392 | 9,766 | 11,619 | 10,178 | 12,038 | 12,086 | 16,109 |
| Illegal entry of aliens | 11,030 | 8,190 | 7,379 | 7,659 | 8,162 | 7,214 | 6,341 | 7,179 | 6,607 | 7,430 | 6,331 | 9,703 |
| Reentries of deported aliens | 308 | 347 | 314 | 381 | 444 | 547 | 477 | 766 | 803 | 1,475 | 2,331 | 2,859 |
| Bringing in, transporting, harboring, and inducing illegal entry of aliens | 1,422 | 984 | 808 | 860 | 1,431 | 1,498 | 977 | 1,008 | 732 | 763 | 1,307 | 1,185 |
| Fraud, misuse of visas, entry permits, and other entry documents | 225 | 141 | 298 | 228 | 289 | 318 | 306 | 293 | 306 | 211 | 193 | 161 |
| Fraud and false statements or entries | 208 | 105 | 128 | 142 | 83 | 68 | 109 | 116 | 40 | 61 | 52 | 77 |
| Alien registration or alien address violations | 63 | 89 | 28 | 73 | 135 | 93 | 39 | 7 | 15 | 34 | 7 | 11 |
| Producing, transferring, possessing, stealing, using, or selling false identification documents | 279 | 332 | 295 | 370 | 597 | 602 | 497 | 802 | 672 | 1,123 | 768 | 1,181 |
| Conspiracy to defraud the United States | 433 | 436 | 757 | 560 | 615 | 252 | 121 | 699 | 462 | 442 | 666 | 344 |
| Producing, processing, or selling of a controlled substance | NA | NA | NA | NA | NA | 466 | 498 | 742 | 523 | 477 | 408 | 562 |
| All other violations | 1,136 | 1,162 | 1,922 | 2,106 | 569 | 334 | 401 | 7 | 18 | 22 | 23 | 26 |
| Violations of nationality laws | 155 | 210 | 279 | 182 | 204 | 117 | 99 | 66 | 32 | 37 | 35 | 75 |
| False representation as citizens of the United States | 133 | 200 | 248 | 156 | 137 | 69 | 59 | 56 | 24 | 27 | 16 | 37 |
| False statements and procurement of citizenship or naturalization unlawfully | 6 | 2 | 3 | 3 | 60 | 36 | 37 | 3 | 3 | 5 | 4 | 21 |
| Reproduction and sale of citizenship and naturalization papers | 16 | 8 | 28 | 23 | 7 | 12 | 3 | 7 | 5 | 5 | 15 | 17 |

Note: Data for 1993-96 have been revised by the Source and will differ from previous editions of SOURCEBOOK.

Source: Table provided to SOURCEBOOK staff by the U.S. Department of Justice, Immigration and Naturalization Service.

Table 5.76

Investigative activity of the U.S. Secret Service

Fiscal years 1990-99

| Investigative activity | Number of cases | | | | | | | | | |
|--|-----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 |
| Total cases for investigation | 78,810 | 74,290 | 71,667 | 75,008 | 70,359 | 72,010 | 74,038 | 79,943 | 74,777 | NA |
| Cases pending beginning of the fiscal year | 23,862 | 22,017 | 19,690 | 20,160 | 19,690 | 19,225 | 20,135 | 23,540 | 22,434 | 22,632 |
| Counterfeiting | 2,657 | 2,517 | 2,978 | 3,184 | 3,006 | 3,093 | 2,464 | 2,855 | 3,688 | 4,370 |
| Forgery ^a | 12,998 | 9,942 | 9,490 | 8,777 | 8,194 | 6,412 | 6,477 | 6,877 | 4,637 | 3,769 |
| Financial crime ^b | 3,608 | 3,743 | 3,656 | 4,047 | 4,724 | 5,683 | 6,542 | 6,661 | 6,730 | 5,624 |
| Protective intelligence | 723 | 739 | 550 | 737 | 722 | 860 | 1,218 | 2,595 | 3,213 | 4,488 |
| Other criminal and noncriminal | 3,876 | 5,076 | 3,016 | 3,415 | 3,044 | 3,177 | 3,332 | 4,347 | 3,974 | 4,280 |
| Task forces ^c | NA | NA | NA | NA | NA | NA | 102 | 205 | 192 | 101 |
| Cases received | 54,948 | 52,273 | 51,977 | 54,848 | 50,669 | 52,785 | 53,903 | 56,403 | 52,343 | NA |
| Counterfeiting | 12,750 | 12,662 | 12,231 | 13,561 | 11,219 | 9,974 | 9,979 | 15,341 | 16,416 | NA |
| Forgery ^a | 12,971 | 14,212 | 10,536 | 10,647 | 8,860 | 8,510 | 8,048 | 5,716 | 3,213 | NA |
| Financial crime ^b | 4,545 | 3,993 | 4,054 | 5,482 | 6,878 | 7,372 | 6,538 | 6,683 | 4,840 | NA |
| Protective intelligence | 7,179 | 6,618 | 8,353 | 8,284 | 7,754 | 9,014 | 10,211 | 9,200 | 10,450 | NA |
| Other criminal and noncriminal | 17,503 | 14,788 | 16,803 | 16,874 | 15,958 | 16,268 | 17,529 | 17,617 | 17,270 | NA |
| Task forces ^c | NA | NA | NA | NA | NA | 1,647 | 1,598 | 1,846 | 154 | NA |
| Cases closed | 56,474 | 51,460 | 50,783 | 54,038 | 50,251 | 52,229 | 51,070 | 57,413 | 51,697 | NA |
| Counterfeiting | 12,866 | 12,218 | 11,821 | 13,499 | 10,984 | 10,362 | 9,587 | 14,439 | 15,661 | NA |
| Forgery ^a | 15,886 | 14,083 | 10,912 | 10,886 | 10,364 | 8,261 | 7,502 | 7,572 | 3,963 | NA |
| Financial crime ^b | 4,388 | 3,965 | 4,037 | 4,672 | 5,788 | 6,419 | 6,793 | 6,538 | 5,850 | NA |
| Protective intelligence | 7,161 | 6,744 | 8,103 | 8,213 | 7,530 | 8,575 | 8,775 | 8,448 | 8,498 | NA |
| Other criminal and noncriminal | 16,173 | 14,450 | 15,910 | 16,768 | 15,585 | 17,053 | 16,792 | 18,585 | 17,523 | NA |
| Task forces ^c | NA | NA | NA | NA | NA | 1,559 | 1,621 | 1,831 | 202 | NA |

Note: These data do not include administratively closed cases. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^cIncludes activities of a number of task forces involving U.S. Secret Service participation with other agencies on criminal matters.

^aIncludes check and bond forgery.

^bThis category includes fraud. Prior to fiscal year 1992, financial crime cases were counted under the "other criminal and noncriminal" category.

Source: Table provided to SOURCEBOOK staff by the U.S. Department of the Treasury, U.S. Secret Service.

Table 5.77

Disposition of arrests by the U.S. Secret Service

Fiscal years 1975-98

| Fiscal year | Type of disposition | | | | | |
|--------------------|---------------------|-----------|-----------|-------------------|--------------------|---------------------|
| | Total | Convicted | Acquitted | Nolle prosequi | No true bill | Other dismissals |
| 1975 | 8,668 | 7,788 | 106 | 183 | 7 | 584 |
| 1976 | 7,990 | 7,283 | 101 | 91 | 4 | 511 |
| Transition quarter | 1,978 | 1,815 | 23 | 23 | 2 | 115 |
| 1977 | 11,797 | 10,979 | 130 | 154 | 3 | 531 |
| 1978 | 12,697 | 12,017 | 104 | 86 | 1 | 489 |
| 1979 | 10,146 | 9,543 | 98 | 101 | 1 | 403 |
| 1980 | 6,752 | 6,310 | 60 | 79 | 1 | 302 |
| 1981 | 6,487 | 6,142 | 43 | 52 | 3 | 247 |
| 1982 | 8,100 | 7,646 | 42 | 60 | 4 | 348 |
| 1983 | 8,668 | 8,202 | 65 | 38 | 1 | 362 |
| 1984 | 7,147 | 6,739 | 56 | 32 | 4 | 316 |
| 1985 | 8,640 | 8,077 | 58 | 40 | 2 | 463 |
| 1986 | 9,480 | 9,065 | 84 | 41 | 1 | 289 |
| 1987 | 8,893 | 8,535 | 61 | 47 | 1 | 249 |
| 1988 | 7,010 | 6,698 | 41 | 34 | 7 | 230 |
| 1989 | 7,082 | 6,773 | 34 | 64 | 3 | 208 |
| 1990 | 7,062 | 6,810 | 38 | 65 | 5 | 144 |
| 1991 | 6,549 | 6,295 | 30 | 70 | 9 | 145 |
| 1992 | 6,176 | 5,958 | 36 | 48 | 4 | 130 |
| 1993 | 7,161 | 6,861 | 35 | 82 | 8 | 175 |
| 1994 | 8,912 | 8,702 | 34 | 45 | 3 | 128 |
| 1995 | 11,923 | 11,701 | 32 | 68 | 0 | 122 |
| 1996 | 10,974 | 10,823 | 13 | 66 | 1 | 71 |
| 1997 | 12,339 | 12,199 | 16 | 34 | 0 | 90 |
| 1998 | 9,722 | 9,557 | 17 | 44 | 2 | 102 |

Note: The data presented prior to and including 1976 coincide with the former Federal fiscal year, the period July 1 to June 30. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30. For definitions of "nolle prosequi" and "no true bill," see Note, table 5.71. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

Source: U.S. Department of the Treasury, U.S. Secret Service, "Annual Statistical Summary, Fiscal Year 1981," Washington, DC: U.S. Department of the Treasury, 1982. (Mimeo-graphed.); and data provided by the U.S. Department of the Treasury, U.S. Secret Service. Table adapted by SOURCEBOOK staff.

Table 5.78

Persons indicted, awaiting trial on Dec. 31, and convicted of offenses involving abuse of public office

By level of government, 1973-96

| | Elected or appointed official | | | | | | | | | | | | | | |
|-------|-------------------------------|---------------------------------|----------------|------------------|---------------------------------|----------------|---------------|---------------------------------|----------------|---------------|---------------------------------|----------------|-----------------|---------------------------------|----------------|
| | Total | | | Federal | | | State | | | Local | | | Others involved | | |
| | In- dicted | Awaiting trial on Dec. 31 | Con- victed | In- dicted | Awaiting trial on Dec. 31 | Con- victed | In- dicted | Awaiting trial on Dec. 31 | Con- victed | In- dicted | Awaiting trial on Dec. 31 | Con- victed | In- dicted | Awaiting trial on Dec. 31 | Con- victed |
| Total | 21,831 | 5,824 | 18,804 | 9,363 | 1,651 | 8,257 | 1,738 | 561 | 1,453 | 5,322 | 1,741 | 4,353 | 5,408 | 1,871 | 4,741 |
| 1973 | 191 | 18 | 144 | 60 | 2 | 48 | 19 | 0 | 17 | 85 | 2 | 64 | 27 | 14 | 15 |
| 1974 | 305 | 5 | 213 | 59 | 1 | 51 | 36 | 0 | 23 | 130 | 4 | 87 | 80 | 0 | 52 |
| 1975 | 294 | 27 | 211 | 53 | 5 | 43 | 36 | 5 | 18 | 139 | 15 | 94 | 66 | 2 | 56 |
| 1976 | 391 | 199 | 260 | 111 | 1 | 101 | 59 | 30 | 35 | 194 | 98 | 100 | 27 | 70 | 24 |
| 1977 | 535 | 210 | 440 | 129 | 32 | 94 | 50 | 33 | 38 | 157 | 62 | 164 | 199 | 83 | 144 |
| 1978 | 530 | 205 | 418 | 133 | 42 | 91 | 55 | 20 | 56 | 171 | 72 | 127 | 171 | 71 | 144 |
| 1979 | 579 | 178 | 419 | 114 | 21 | 102 | 56 | 29 | 31 | 211 | 63 | 151 | 198 | 65 | 135 |
| 1980 | 727 | 213 | 602 | 123 | 16 | 131 | 72 | 28 | 51 | 247 | 82 | 168 | 285 | 87 | 252 |
| 1981 | 808 | 231 | 730 | 198 | 23 | 159 | 87 | 36 | 66 | 244 | 102 | 211 | 279 | 70 | 294 |
| 1982 | 813 | 186 | 671 | 158 | 38 | 147 | 49 | 18 | 43 | 257 | 58 | 232 | 349 | 72 | 249 |
| 1983 | 1,076 | 222 | 972 | 460 ^a | 58 | 424 | 81 | 26 | 65 | 270 | 61 | 226 | 265 | 77 | 257 |
| 1984 | 931 | 269 | 934 | 408 | 77 | 429 | 58 | 21 | 52 | 203 | 74 | 196 | 262 | 97 | 257 |
| 1985 | 1,157 | 256 | 997 | 563 | 90 | 470 | 79 | 20 | 66 | 248 | 49 | 221 | 267 | 97 | 240 |
| 1986 | 1,208 | 246 | 1,026 | 596 | 83 | 523 | 88 | 24 | 71 | 232 | 55 | 207 | 292 | 84 | 225 |
| 1987 | 1,276 | 368 | 1,081 | 651 | 118 | 545 | 102 | 26 | 76 | 246 | 89 | 204 | 277 | 135 | 256 |
| 1988 | 1,274 | 288 | 1,067 | 629 | 86 | 529 | 66 | 14 | 69 | 276 | 79 | 229 | 303 | 109 | 240 |
| 1989 | 1,348 | 375 | 1,149 | 695 | 126 | 610 | 71 | 18 | 54 | 269 | 122 | 201 | 313 | 109 | 284 |
| 1990 | 1,176 | 300 | 1,084 | 615 | 103 | 583 | 96 | 28 | 79 | 257 | 98 | 225 | 208 | 71 | 197 |
| 1991 | 1,452 | 346 | 1,194 | 803 | 149 | 665 | 115 | 42 | 77 | 242 | 88 | 180 | 292 | 67 | 272 |
| 1992 | 1,189 | 380 | 1,081 | 624 | 139 | 532 | 81 | 24 | 92 | 232 | 91 | 211 | 252 | 126 | 246 |
| 1993 | 1,371 | 403 | 1,362 | 627 | 133 | 595 | 113 | 39 | 133 | 309 | 132 | 272 | 322 | 99 | 362 |
| 1994 | 1,165 | 332 | 969 | 571 | 124 | 488 | 99 | 17 | 97 | 248 | 96 | 202 | 247 | 95 | 182 |
| 1995 | 1,051 | 323 | 878 | 527 | 120 | 438 | 61 | 23 | 61 | 236 | 89 | 191 | 227 | 91 | 188 |
| 1996 | 984 | 244 | 902 | 456 | 64 | 459 | 109 | 40 | 83 | 219 | 60 | 190 | 200 | 80 | 170 |

Note: Questionnaires are sent annually to the U.S. attorneys' offices in each of the Federal judicial districts eliciting data concerning indictments and convictions during the year as well as prosecutions awaiting trial on December 31 of each year. Response rates for the 94 Federal judicial districts are consistently high, yielding an average response rate of 97% over the past 10 years. These data cover persons elected or appointed to office and career (staff) government employees; "others involved" include individuals who hold no official position, but who participated in an offense aimed at corrupting another's public office. "Abuse of public office" includes offenses such as extortion, bribery, and conflict of interest. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

^aThe 1983 figures were reviewed to attempt to identify the reason for the substantial increase in prosecutions of Federal officials. The explanation appeared to be two-fold: there had been a greater focus on Federal corruption nationwide, and there appeared to have been more consistent reporting of lower-level employees who abused their office, cases that may have been overlooked in the past. For reference, the U.S. attorneys' offices were told: "For purposes of this questionnaire, a public corruption case includes any case involving abuse of office by a public employee. We are not excluding low-level employees or minor crimes, but rather focusing on the job-relatedness of the offense and whether the offense involves abuse of the public trust placed in the employee."

Source: U.S. Department of Justice, Criminal Division, "Report to Congress on the Activities and Operations of the Public Integrity Section for 1991," pp. 28, 29; "1992," pp. 36, 37; "1996," pp. 33, 34. Washington, DC: U.S. Department of Justice. (Mimeographed.)

Table 5.79

Army personnel tried and percent convicted in General and Special (BCD) Courts-Martial

By type of personnel, fiscal years 1971-98

| Fiscal year and type of personnel | Total number tried | Percent convicted | Fiscal year and type of personnel | Total number tried | Percent convicted |
|-----------------------------------|--------------------|-------------------|-----------------------------------|--------------------|-------------------|
| <u>1971</u> | 3,942 | 94.9% | <u>1985</u> | 2,724 | 95.2% |
| Officers | 42 | 80.9 | Officers | 52 | 88.5 |
| Enlisted personnel | 3,900 | 95.6 | Enlisted personnel | 2,672 | 95.3 |
| <u>1972</u> | 3,319 | 93.7 | <u>1986</u> | 2,701 | 94.7 |
| Officers | 52 | 78.8 | Officers | 50 | 98.0 |
| Enlisted personnel | 3,267 | 93.9 | Enlisted personnel | 2,651 | 94.6 |
| <u>1973</u> | 2,356 | 93.9 | <u>1987</u> | 2,516 | 95.8 |
| Officers | 19 | 68.4 | Officers | 37 | 86.5 |
| Enlisted personnel | 2,337 | 94.1 | Enlisted personnel | 2,479 | 96.0 |
| <u>1974</u> | 3,258 | 94.3 | <u>1988</u> | 2,554 | 95.3 |
| Officers | 14 | 78.5 | Officers | 27 | 77.8 |
| Enlisted personnel | 3,244 | 94.4 | Enlisted personnel | 2,527 | 95.5 |
| <u>1975</u> | 2,876 | 93.3 | <u>1989</u> | 2,435 | 93.9 |
| Officers | 15 | 53.3 | Officers | 35 | 91.4 |
| Enlisted personnel | 2,861 | 93.5 | Enlisted personnel | 2,400 | 94.0 |
| <u>1976</u> | 2,265 | 91.8 | <u>1990</u> | 2,222 | 94.1 |
| Officers | 20 | 65.0 | Officers | 27 | 96.3 |
| Enlisted personnel | 2,245 | 92.1 | Enlisted personnel | 2,195 | 94.1 |
| <u>Transition quarter</u> | 500 | 90.8 | <u>1991^d</u> | 1,758 | 94.1 |
| Officers | 8 | 62.5 | Officers | 46 | 97.8 |
| Enlisted personnel | 492 | 91.2 | Enlisted personnel | 1,712 | 94.0 |
| <u>1977</u> | 1,920 | 89.9 | <u>1992</u> | 1,708 | 92.8 |
| Officers ^a | 23 | 78.3 | Officers | 28 | 78.6 |
| Enlisted personnel ^b | 1,897 | 90.0 | Enlisted personnel | 1,680 | 93.0 |
| <u>1978</u> | 1,608 | 88.7 | <u>1993</u> | 1,287 | 90.0 |
| Officers | 13 | 83.3 | Officers | 32 | 100.0 |
| Enlisted personnel ^c | 1,595 | 88.7 | Enlisted personnel | 1,255 | 89.8 |
| <u>1979</u> | 1,768 | 90.7 | <u>1994</u> | 1,220 | 91.2 |
| Officers ^a | 22 | 72.7 | Officers | 24 | 87.5 |
| Enlisted personnel ^c | 1,746 | 90.9 | Enlisted personnel | 1,196 | 98.1 |
| <u>1980</u> | 2,739 | 88.1 | <u>1995</u> | 1,178 | 91.2 |
| Officers | 22 | 77.3 | Officers | 40 | 80.0 |
| Enlisted personnel | 2,717 | 88.2 | Enlisted personnel | 1,138 | 91.6 |
| <u>1981</u> | 3,366 | 77.8 | <u>1996</u> | 1,146 | 91.2 |
| Officers | 22 | 68.2 | Officers | 31 | 87.1 |
| Enlisted personnel | 3,344 | 77.9 | Enlisted personnel | 1,115 | 91.3 |
| <u>1982</u> | 4,090 | 73.5 | <u>1997</u> | 1,066 | 91.9 |
| Officers | 47 | 95.7 | Officers ^a | 36 | 91.7 |
| Enlisted personnel | 4,043 | 73.2 | Enlisted personnel | 1,030 | 91.9 |
| <u>1983</u> | 3,670 | 95.6 | <u>1998</u> | 972 | 92.5 |
| Officers | 47 | 91.5 | Officers | 17 | 94.1 |
| Enlisted personnel | 3,623 | 95.6 | Enlisted personnel | 955 | 92.3 |
| <u>1984</u> | 2,845 | 95.3 | | | |
| Officers | 41 | 85.4 | | | |
| Enlisted personnel | 2,804 | 95.5 | | | |

Note: In the military justice system, a General Court-Martial consists of a military judge and not less than five members (jurors), although a trial may be heard by a military judge alone, if requested by the accused (10 U.S.C. 815). A Special Court-Martial consists of not less than three members, or a military judge and not less than three members, or trial by military judge alone, if requested by the accused (10 U.S.C. 815). The jurisdiction of the Special Court-Martial is limited to non-capital offenses. In addition, a Special Court-Martial cannot adjudge a dishonorable discharge, dismissal, confinement longer than 6 months, hard labor without confinement for longer than 3 months, forfeiture of more than two-thirds pay, or any forfeiture of pay for longer than 6 months. If a bad conduct discharge (BCD) is adjudged, the Special Court-Martial must have included a verbatim record of the proceeding, counsel for the accused, and a military judge (10 U.S.C. 819). This is referred to as a Special (BCD) Court-Martial.

These data reflect the combined activity of both General and Special (BCD) Courts-Martial. The data presented for years prior to and including 1976 coincide with

former Federal fiscal years. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30.

^aIncludes one cadet.

^bIncludes one civilian.

^cIncludes two prisoners.

^dThe number of enlisted personnel tried in 1991 is much lower than previous years because there were fewer trials than usual during the deployment to Southwest Asia and subsequent military operations in that region. In addition, the process of reducing the size of the Army began during this time period.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Defense, Department of the Army.

Table 5.80

U.S. Coast Guard personnel tried in General, Special (BCD), and Summary Courts-Martial

By type of court, fiscal years 1966-98

| Fiscal year | Types of Courts-Martial | | |
|--------------------|-------------------------|-----------------|---------|
| | General | Special (BCD) | Summary |
| 1966 | 3 | 95 | 212 |
| 1967 | 2 | 68 | 211 |
| 1968 | 0 | 91 | 216 |
| 1969 | 2 | 92 | 207 |
| 1970 | 2 | 76 | 174 |
| 1971 | 2 | 129 | 287 |
| 1972 | 6 | 167 | 348 |
| 1973 | 5 | 206 | 307 |
| 1974 | 7 | 190 | 212 |
| 1975 | 4 | 189 | 267 |
| 1976 | 4 | 181 | 221 |
| Transition quarter | 0 | 25 | 47 |
| 1977 | 5 | 84 | 188 |
| 1978 | 3 | 58 | 180 |
| 1979 | 2 | 47 | 122 |
| 1980 | 3 | 67 | 169 |
| 1981 | 2 | 58 | 192 |
| 1982 | 9 | 79 | 151 |
| 1983 | 10 | 68 | 128 |
| 1984 | 6 | 33 | 105 |
| 1985 | 5 | 43 | 77 |
| 1986 | 5 | 19 | 50 |
| 1987 | 11 | 24 | 63 |
| 1988 | 13 | 25 | 35 |
| 1989 | 5 | 40 | 48 |
| 1990 | 14 | 42 | 47 |
| 1991 | 9 | 34 | 18 |
| 1992 | 16 | 26 ^a | 25 |
| 1993 | 14 | 31 | 11 |
| 1994 | 9 | 23 | 15 |
| 1995 | 11 | 8 | 14 |
| 1996 | 22 | 16 | 14 |
| 1997 | 6 | 9 | 10 |
| 1998 | 18 | 21 | 8 |

Note: See Note, table 5.79. A Summary Court-Martial is a military trial by one commissioned officer who need not be a lawyer. Punishment may not exceed 30 days in confinement, and may include reduction and forfeitures of not more than two-thirds of 1 month's pay. No counsel is furnished for prosecution or defense. Accused personnel have the option to refuse trial by Summary Court-Martial, but refusal may result in the charges being referred to a higher level court-martial. The data presented for years prior to and including 1976 coincide with former Federal fiscal years July 1 to June 30. The transition quarter refers to the period July 1, 1976 to Sept. 30, 1976. The fiscal year for the Federal Government is now from October 1 to September 30.

^aIncludes one case where charges were withdrawn prior to plea.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.81

Offenses involved in U.S. Coast Guard General Courts-Martial

Fiscal years 1995-98

| Type of offense | 1995 | 1996 | 1997 | 1998 |
|---|------|------|------|------|
| Assault | NA | 12 | 2 | 11 |
| Rape or carnal knowledge | 1 | 4 | 2 | 8 |
| Burglary | 2 | 3 | 5 | 4 |
| Attempts | 2 | 3 | 1 | 13 |
| Larceny or wrongful appropriation | 6 | 152 | 33 | 82 |
| Forgery | NA | 54 | 18 | 4 |
| Conspiracy | 2 | 2 | NA | NA |
| Sodomy | 3 | 2 | NA | 4 |
| Controlled drug offenses | 25 | 45 | 3 | 6 |
| Fraudulent enlistment, appointment, or separation | 1 | 1 | NA | 1 |
| Offenses against military property | NA | 12 | NA | 1 |
| False representation of official statements | 2 | 15 | 30 | 7 |
| Cruelty and maltreatment | NA | 21 | NA | 14 |
| Violation of order or regulation | 2 | 61 | 4 | 34 |
| Willfully disobeying a superior | NA | 1 | NA | NA |
| AWOL or desertion | NA | 5 | 1 | 4 |
| Missing ship movements | NA | 4 | NA | NA |
| Check writing without sufficient funds | NA | 12 | 4 | 136 |
| Frauds against the United States | NA | 3 | NA | NA |
| General offenses | 26 | 70 | 48 | 111 |
| Other offenses | 1 | 1 | 1 | NA |

Note: See Note, table 5.79. The data in this table present the total number of offenses referred to General Courts-Martial. A person may have been charged with more than one offense; see table 5.80 for the number of personnel tried.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.82

Offenses involved in U.S. Coast Guard Special (BCD) Courts-Martial

Fiscal years 1978-98

| Type of offense | 1978 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Assault | 1 | 4 | 4 | 14 | 6 | 4 | 3 | 28 | 1 | 4 | 1 | 4 | NA | 1 | 1 | 9 | 5 | 8 | 1 | 5 | 1 |
| Rape | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 3 | 1 | NA | 3 | NA | NA | 4 | NA |
| Burglary | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 2 | NA | NA | 2 | 3 | 2 | NA | NA | 1 | 1 | 5 |
| Larceny or wrongful appropriation | 33 | 66 | 62 | 20 | 35 | 70 | 11 | 32 | 23 | 35 | 26 | 12 | 47 | 47 | 23 | 43 | 28 | 4 | 66 | 11 | 26 |
| Forgery | NA | 46 | 72 | NA | NA | NA | NA | NA | NA | NA | 1 | 21 | 3 | 5 | 2 | 1 | 13 | 2 | 8 | 5 | 3 |
| Conspiracy | NA | NA | 9 | NA | NA | NA | NA | NA | NA | NA | 2 | 4 | 5 | 8 | 7 | 7 | NA | 1 | 2 | NA | 3 |
| Sodomy | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 1 | NA | 2 | 4 | 2 | 5 | 4 | NA | NA | NA | NA |
| Marijuana offenses | 8 | 49 | 30 | 22 | 88 | 41 | 17 | 18 | 1 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| Controlled drug offenses | 1 | 26 | 4 | 19 | 18 | 25 | 20 | 18 | 5 | 6 | 9 | 20 | 63 | 31 | 19 | 7 | 16 | NA | 21 | 13 | 31 |
| Offenses against Coast Guard property | 8 | 5 | 13 | 7 | 16 | 3 | NA | NA | 3 | 2 | 5 | NA | 9 | NA | NA | NA | 2 | 1 | 11 | 1 | 3 |
| False representation of official statements | 3 | NA | 2 | 1 | 22 | 8 | 1 | 12 | 2 | 3 | 4 | 4 | 7 | 14 | 13 | 16 | 4 | NA | 8 | 1 | 15 |
| Cruelty and maltreatment | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 1 | NA | 1 | 1 | 17 | 8 | 3 | 2 | NA | 2 |
| Violation of order or regulation | 7 | 16 | 20 | 26 | 63 | 15 | 14 | 4 | 11 | 22 | 16 | 18 | 22 | 34 | 15 | 41 | 26 | 8 | 24 | 10 | 34 |
| Assaulting or willfully disobeying a superior | 7 | 5 | 6 | 16 | 10 | 2 | 2 | 13 | 2 | NA | NA | 2 | 1 | 7 | 1 | NA | 1 | 1 | NA | 1 | 2 |
| Insubordinate conduct toward a petty officer | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 1 | 1 | 2 | 3 | NA | 3 | NA | NA | NA | 7 | NA |
| AWOL or desertion | 72 | 50 | 73 | 44 | 56 | 38 | 18 | 14 | 10 | 4 | 30 | 21 | 21 | 11 | 9 | 14 | 9 | 2 | 3 | 6 | 5 |
| Missing ship movements | 14 | 2 | 7 | 7 | 9 | 3 | 4 | 4 | NA | NA | 3 | 2 | 4 | 1 | 3 | 1 | 1 | 1 | NA | NA | 1 |
| Check writing without sufficient funds | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 150 | 90 | 46 | NA | NA | NA | 14 |
| Frauds against the United States | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 3 | 4 | 12 | 2 | 2 | 1 | 1 | NA | 10 | NA | NA |
| General offenses | 8 | 1 | 13 | 6 | 35 | 37 | 14 | 18 | 19 | 5 | 18 | 12 | 32 | 49 | 31 | 52 | 72 | 8 | 18 | 21 | 32 |
| Other offenses | 41 | 22 | 48 | 42 | 46 | 61 | 5 | 8 | 29 | 23 | NA | 10 | 11 | 17 | 9 | 11 | 11 | 1 | 6 | NA | 7 |

Note: See Note, table 5.79. The data in this table present the total number of offenses referred to Special (BCD) Courts-Martial. A person may have been charged with more than one offense; see table 5.80 for the number of personnel tried. Some data have been revised and may differ from previous editions of SOURCEBOOK.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

Table 5.83

U.S. Coast Guard personnel convicted in General and Special (BCD) Courts-Martial

By type of disposition, fiscal years 1991-98

| Fiscal year | General Courts-Martial | | | | | Special Courts-Martial | | | | |
|-------------|------------------------|-------------------|-------------|--------------------|------------------------------|------------------------|-------------------|-------------|--------------------|-----------------------|
| | Sentences ^a | | | | | Sentences ^a | | | | |
| | Number of convictions | Forfeiture of pay | Confinement | Reduction in grade | Punitive discharge/dismissal | Number of convictions | Forfeiture of pay | Confinement | Reduction in grade | Bad conduct discharge |
| 1991 | 8 | 4 | 7 | 5 | 5 | 26 | 16 | 22 | 21 | 15 |
| 1992 | 16 | 11 | 14 | 14 | 12 | 23 | 11 | 18 | 19 | 9 |
| 1993 | 14 | 7 | 13 | 11 | 9 | 27 | 8 | 19 | 20 | 14 |
| 1994 | 7 | 1 | 7 | 6 | 6 | 20 | 6 | 17 | 20 | 11 |
| 1995 | 11 | 6 | 10 | 9 | 7 | 7 | 3 | 5 | 6 | 2 |
| 1996 | 22 | 15 | 19 | 20 | 18 | 14 | 11 | 10 | 13 | 7 |
| 1997 | 6 | 2 | 4 | 5 | 4 | 9 | 4 | 6 | 8 | 5 |
| 1998 | 17 | 5 | 12 | 16 | 11 | 21 | 9 | 9 | 17 | 4 |

Note: See Note, table 5.79. This table reports the frequency of imposition of the four most common punishments imposed in General and Special Courts-Martial cases.

Source: Table constructed by SOURCEBOOK staff from data provided by the U.S. Department of Transportation, U.S. Coast Guard.

^aDisposition totals are greater than the conviction totals shown because more than one disposition may be imposed in each case.

Appendix 11

Federal Justice Statistics Methodology and definitions of terms

Note: The following was excerpted from U.S. Department of Justice, Bureau of Justice Statistics, *Compendium of Federal Justice Statistics, 1996*, NCJ-172849 (Washington, DC: U.S. Department of Justice, 1999), pp. 89-105. Non-substantive editorial adaptations have been made.

Methodology

The data are from the Bureau of Justice Statistics (BJS) Federal Justice Statistics database. The database is constructed from source files provided by the Executive Office for U.S. Attorneys, the Administrative Office of the United States Courts (AO), the United States Sentencing Commission, and the Federal Bureau of Prisons. The AO also maintains data collected by the Pretrial Services Agency, the U.S. Courts of Appeals, and data on the work of the U.S. Probation Service in the Federal Probation Supervision Information System.

Some records in the Federal Justice Statistics database are matched according to a statistically weighted combination of names, other personal identifiers, dates of court appearances, types of offenses, and other relevant information contained in the files. Using the matched data files, it is possible to combine information about two or more stages of the processing of a criminal matter or case, from the prosecutor's decision of whether to file a criminal case, through adjudication, and, if the defendant is convicted, through prison and/or supervised release. Unless otherwise noted, data tables describe events occurring during fiscal year 1996 (Oct. 1, 1995 through Sept. 30, 1996).

The unit of analysis is a combination of a person (or corporation) and a matter or case. For example, if a single person is involved in three different criminal cases during the time period specified in the table, he or she is counted three times in the tabulation. Similarly, if a single criminal case involves a corporate defendant and four individual defendants, it is counted five times in the tabulation.

The unit of analysis for incarceration, probation, parole, or other supervised release is a person entering custody or supervision, or a person leaving custody or supervision. For example, a person convicted in two concurrent cases and committed once to the

custody of the Federal Bureau of Prisons in the indicated time period is counted as one admission to a term of incarceration. A person who terminates probation twice in the indicated time period, such as with a violation and again after reinstatement, is counted as two terminations of probation.

The offense classifications in the tables are based on the classification system used by the AO. Specific offenses in the AO classification are combined to form the BJS categories in the tables. These categories are designed to be as consistent as possible with BJS publications on State criminal justice systems. Offense categories for tables focusing on prisoners are based on combinations of offense designations used by the Bureau of Prisons. They are similar to the BJS categories but may not be directly comparable.

Where more than one offense is charged or adjudicated, the most serious offense, the one that may or did result in the most severe sentence, is used in the classification. In table 6.54, prisoners are classified according to the offense that bears the longest single incarceration sentence. The offense description may change as a case goes through the criminal justice process. Tables indicate whether charged or adjudicated offenses are used.

The availability of particular items of information is affected by the data source. Data on prosecutors' decisions prior to court filing are provided for cases investigated by U.S. attorneys, but not for those handled by other litigating divisions of the U.S. Department of Justice. Criminal Division cases enter the database once they are filed in U.S. District Court, however. Many items of social and demographic information come from presentence investigation records, supervision records, or sentencing records and are available only for arrested defendants who were convicted and/or began serving a sentence involving supervised release. (This particularly affects sex, race, ethnicity, and prior record information.)

Time served in prison is the number of months from the prisoner's arrival into jurisdiction of the Bureau of Prisons until first release from prison, plus any jail time served and credited. The calculation is the same as that currently used by the Bureau of Prisons. Because other publications may include different groups of prisoners, calculate time served differently, or use a different offense classification, these data may differ from estimates of time served in previous publications by the Bureau of Prisons or in publications based on other data sources.

These data are designed to permit the user to make valid comparisons of numbers

within each table and to compare percentage rates across tables. The total numbers of subjects that are based on records linked between two files are generally less than the total number of records in either source file. Accordingly, comparisons of absolute numbers across two or more tables, or between these data and other data sources, are not necessarily valid.

In addition, readers should note that offender characteristics and classifications of lengths of prior sentences of incarceration differ from the 1993 and prior years' Federal justice compendia. Therefore, comparisons of these elements with the 1993 compendium or compendia prior to 1993 should not be attempted.

Definitions of terms

Agriculture--violations of the Federal statutes on agriculture and conservation, for example, violations of the Agricultural Acts, Insecticide Act, and the Packers and Stockyards Act; also violation of laws concerning plant quarantine and the handling of animals pertaining to research (title 7 U.S.C. except sections on food stamps).

Antitrust--violation of Federal antitrust statutes, which aim to protect trade and commerce from unlawful restraints, price fixing, monopolies, and discrimination in pricing or in furnishing services or facilities.

Arson--willfully or maliciously setting, or attempting to set, fire to any property within the special maritime and territorial jurisdiction of the United States.

Assault--intentionally inflicting, attempting or threatening to inflict bodily injury to another person; applies to anyone within the special maritime and territorial jurisdiction of the United States or to any Government official, foreign official, official guest, internationally protected person, or any officer or employee of the United States designated in section 18 U.S.C. 1114; also certain violations of the Fair Housing Act of 1968.

Bail--the sum of money promised as a condition of release, to be paid if a released defendant defaults.

Bribery--offering or promising anything of value with intent to unlawfully influence a public official, bank employee, officer or employee of the Government, witness, or any common carrier as well as soliciting or accepting such an offer. Soliciting or receiving anything of value in consideration of aiding a person to obtain employment in the U.S. Government. Receiving or soliciting any remuneration, directly or indirectly, in cash or any kind in return for purchasing, ordering, leasing, or recommending to purchase any good, service, or facility.

Burglary--breaking and entering into another's property with intent to steal within the special maritime and territorial

jurisdiction of the United States; also including breaking and entering into any official bank, credit union, savings and loan institution, post office, vessel or steamboat assigned to the use of mail service, or personal property of the United States or breaking the seal or lock of any carrier facility containing interstate or foreign shipments of freight or express.

Collateral bond--an agreement made by a defendant as a condition of his or her pretrial release that requires the defendant to post property valued at the full bail amount as an assurance of his or her intention to appear at trial.

Conspiracy--an agreement by two or more persons to commit or to effect the commission of an unlawful act or to use unlawful means to accomplish an act that is not in itself unlawful; also any overt act in furtherance of the agreement. A person charged with conspiracy is classified under the substantive offense alleged.

Counterfeiting--falsely making, forging, or altering any obligation or security of the United States, foreign obligation or security, coin or bar stamped at any mint in the United States, money order issued by the Postal Service, domestic or foreign stamp, or seal of any department or agency of the United States. Passing, selling, attempting to pass or sell, or bringing into the United States any of the above falsely made articles. Making, selling, or possessing any plates or stones used for printing counterfeit obligations or securities of the United States, foreign obligations or securities, Government transportation requests, or postal stamps; or knowingly and intentionally trafficking in falsified labels affixed to phonorecords, motion pictures, or audio visual works.

Deposit bond--an agreement made by a defendant as a condition of release that requires the defendant to post a fraction of the bail before he or she is released.

Detention--the legally authorized confinement of persons after arrest, whether before or during prosecution. Only those persons held 2 or more days are classified as detained.

Drug offenses--manufacture, import, export, distribution, or dispensing of a controlled substance (or counterfeit substance), or the possession of a controlled substance (or counterfeit substance) with intent to manufacture, import, export, distribute, or dispense. Also using any communication facility that causes or facilitates a felony under title 21. Also furnishing of fraudulent or false information concerning prescriptions as well as any other unspecified drug-related offense.

Embezzlement--fraudulently appropriating property by a person to whom such property has been entrusted. Includes offenses committed by bank officers or employees; officers or employees of the

Postal Service; officers of lending, credit, or insurance institutions; any officer or employee of a corporation or association engaged in commerce as a common carrier; court officers of the U.S. courts; or officers or employees of the United States. Stealing, selling, conveying, or disposing of any money, property, records, or thing of value to the United States or any department thereof.

Escape--departing or attempting to depart from the custody of a correctional institution; a judicial, correctional, or law enforcement officer; or a hospital where one is committed for drug abuse and drug dependency problems. Knowingly advising, aiding, assisting, or procuring the escape or attempted escape of any person from a correctional facility, an officer, or the above-mentioned hospital as well as concealing an escapee. Providing or attempting to provide to an inmate in prison a prohibited object or making, possessing, obtaining, or attempting to make or obtain a prohibited object. Instigating, assisting, attempting to cause, or causing any mutiny or riot at any Federal penal, detention, or correctional facility or conveying into any of these institutions any dangerous instrumentalities.

Explosives--violations of Federal law involving importation, manufacture, distribution, and storage of explosive material. Includes unlawful receipt, possession, or transportation of explosives without a license, where prohibited by law, or using explosives during commission of a felony. Also includes violations relating to dealing in stolen explosives, using mail or other forms of communication to threaten an individual with explosives, and possessing explosive materials at an airport.

Failure to appear--willful absence from any court appointment.

Felony--a criminal offense punishable by death or imprisonment for a term exceeding 1 year.

Financial conditions--monetary conditions upon which release of a defendant before trial is contingent. Includes deposit bond, surety bond, and collateral bond (see individual definitions).

Food and drug--violations of the Federal Food, Drug, and Cosmetic Act, such as regulations for clean and sanitary movement of animals and adulteration or misbranding of any food or drug.

Forgery--falsely and with intent to defraud, making, counterfeiting, altering, or possessing with intent to pass off as genuine any U.S. Postal Service money order; postmarking stamp or impression; obligation or security of the United States; foreign obligation, security, or bank note; contractors' bond, bid, or public record; seal of a court or any department or agency of the Government; the signature of a judge or court officer; ships' papers; documents on entry of vessels; deed; power of attorney;

customs matters; coin or bar; and so forth. Also making, possessing, selling, or printing plates or stones for counterfeiting obligations or securities.

Fraud--unlawfully depriving a person of his or her property or legal rights through intentional misrepresentation of fact or deceit other than forgery or counterfeiting. Includes violations of statutes pertaining to lending and credit institutions, the Postal Service, interstate wire, radio, television, computer, creditcard, veterans benefits, allotments, bankruptcy, marketing agreements, commodity credit, the Securities and Exchange Commission, railroad retirement, unemployment, Social Security, food stamps, false personation, citizenship, passports, conspiracy, and claims and statements, excluding tax fraud. The category excludes fraud involving tax violations that are shown in a separate category under "Public-order, other offenses."

Gambling--transporting, manufacturing, selling, possessing, or using any gambling device in the District of Columbia or any possession of the United States or within Indian country or the special maritime and territorial jurisdiction of the United States. Also transporting gambling devices in the jurisdiction of the United States, (except under authority of the Federal Trade Commission or any State that has a law providing for their exemption from these provisions), transmitting wagering information in interstate or foreign commerce, interstate transporting of wagering paraphernalia, importing or transporting lottery tickets, or mailing lottery tickets or related matter.

Hispanic--ethnic category based on classification by reporting agency. Hispanic persons may be of any race.

Immigration--offenses involving illegal entrance into the United States, illegally reentering after being deported, willfully failing to deport when so ordered, or willfully remaining beyond days allowed on conditional permit. Falsely representing oneself to be a citizen of the United States. Also bringing in or harboring any aliens not duly admitted by an immigration officer.

Incarceration--any sentence of confinement, including prison, jail, and other residential placements.

Kidnaping--unlawfully seizing any person, for ransom or reward, except in the case of a minor by a parent. Includes receiving, possessing, or disposing of any money or other property that has been delivered as ransom or reward in connection with a kidnaping as well as conspiring to kidnap. Also includes kidnaping or attempting to kidnap any Government official, the President of the United States, the President-elect, the Vice President, any foreign official, any official guest, or any internationally protected person.

Larceny--taking and carrying away with intent to steal any personal property of

another. Stealing, possessing, converting to one's own use, or illegally selling or disposing of anything of value to the United States or any of its departments or agencies. Stealing anything of value from a bank, the Postal Service, or any interstate or foreign shipments by carrier. Receiving or possessing stolen property or pirate property. Stealing or obtaining by fraud any funds, assets, or property that belongs to or is entrusted to the custody of an Indian tribal organization. This offense category excludes the transportation of stolen property.

Liquor--violations of Internal Revenue Service laws on liquor as well as violations of liquor laws not cited under these laws, such as dispensing or unlawfully possessing intoxicants in Indian country; transporting intoxicating liquors into any State, territory, district, or possession where sale is prohibited; shipping packages containing unmarked and unlabeled intoxicants; shipping liquor by C.O.D.; knowingly delivering a liquor shipment to someone other than to whom it has been consigned; and violating in any way the Federal Alcohol Administration Act.

Mailing or transportation of obscene materials--knowingly using the mail for mailing obscene or crime-inciting matter. Also transporting for sale or distribution, importing, or transporting any obscene matter in interstate or foreign commerce.

Matters concluded--matters about which a final decision has been reached by a U.S. attorney. Includes matters filed as cases, matters declined after investigation, matters referred for disposition by U.S. magistrates, and matters otherwise terminated without reaching court.

Migratory birds--taking, killing, or possessing migratory birds, or any part, nest, or egg thereof, in violation of Federal regulations or the transportation laws of the State, territory, or district from which the bird was taken. Misuse or nonuse of a migratory-bird hunting and conservation stamp.

Misdemeanor--a criminal offense punishable by a jail term not exceeding 1 year and any offenses specifically defined as a misdemeanor by the Administrative Office of the U.S. Courts for the purposes of data collection. (This category includes offenses previously called minor offenses that were reclassified under the Federal Magistrates Act of 1979.)

Mixed sentence--a sentence requiring the convicted offender to serve a term of incarceration, followed by a term of probation. Unless otherwise noted, offenders receiving mixed sentences are included in both incarceration and probation categories.

Most serious offense--the offense with the greatest potential penalty. For Federal prisoners, the offense with the longest term of incarceration actually imposed.

Motor vehicle theft--interstate or foreign transporting, receiving, concealing, storing, bartering, selling, or disposing of any stolen motor vehicle or aircraft.

Murder--the unlawful killing of a human being with malice aforethought, either expressed or implied. Nonnegligent manslaughter is the unlawful killing of a human being without malice; includes committing or attempting to commit murder (first or second degree) or voluntary manslaughter within the special maritime and territorial jurisdiction of the United States. Killing or attempting to kill any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, any official guests, or any internationally protected persons. As applied to the owner or charterer of any steamboat or vessel, knowingly and willfully causing or allowing fraud, neglect, misconduct, or violation of any law resulting in loss of life.

National defense--violations of the national defense laws of the Military Selective Service Acts, the Defense Production Act of 1950, the Economic Stabilization Act of 1970 (which includes prices, rents, and wages), the Subversive Activities Control Act, alien registration, treason (including espionage, sabotage, sedition, and the Smith Act of 1940), also violations relating to energy facilities, curfew and restricted areas, exportation of war materials, trading with an enemy, illegal use of uniform, and any other violations of the Federal statutes concerning national defense.

Negligent manslaughter--causing the death of another, within the special maritime and territorial jurisdiction of the United States by wanton or reckless disregard for human life. Also negligent manslaughter of any Government official, the President of the United States, the President-elect, the Vice President, any officers and employees of the United States, any foreign officials, and official guests, or any internationally protected persons. This offense category also includes misconduct, negligence, or inattention to duties by ship officers on a steamboat or vessel resulting in death to any person.

Nolo contendere--defendant's plea in a criminal case indicating that he or she will not contest charges, but not admitting or denying guilt.

Offense--violation of U.S. criminal law. Where more than one offense is charged, the offense with the greatest potential penalty is reported.

Other property offenses--offenses that involve the destruction of property moving in interstate or foreign commerce in the possession of a common or contract carrier. The malicious destruction of Government property, or injury to U.S. postal property such as mailboxes or mailbags.

Trespassing on timber and Government lands also is included.

Other public-order offenses--violations of laws pertaining to bigamy; disorderly conduct on the U.S. Capitol grounds; civil disorder; and travel to incite riot. Included in "public-order, non-regulatory offenses."

Other regulatory offenses--violations of civil rights, election laws, the Communication Act of 1934 (including wire tapping and wire interception), customs laws (except narcotics and liquor), interstate commerce (Hot Oil Act, transportation or importation of prison-made goods, and the railroad and transportation acts), maritime and shipping laws, laws regarding stowaways, the Federal Boat Safety Act of 1971, U.S. postal laws (excluding injury to postal property), intimidation of witness laws, aircraft regulations, and any other regulatory offenses not listed above.

Other sex offenses--transporting, coercing, or enticing any individual (including minors) to go from one place to another in interstate or foreign commerce, in the District of Columbia, or in any territory or possession of the United States with the intent and purpose to engage in prostitution, or any sexual activity for which any person can be charged with a criminal offense.

Perjury--making any false material declarations under oath in any proceeding before or ancillary to any court or grand jury of the United States. Includes knowingly or willfully giving false evidence or swearing to false statements under oath or by any means procuring or instigating any person to commit perjury. Also includes any officers and employees of the Government listed under 13 U.S.C. 21-25 who willfully or knowingly furnish or cause to be furnished any false information or statement.

Personal recognition--pretrial release condition in which the defendant promises to appear at trial and no financial conditions are required to be met.

Possession--acquiring a controlled substance by misrepresentation or fraud, attempting or conspiring to possess, or simple possession of a controlled substance in schedules I-V (as defined by 21 U.S.C. 812). Possession of a controlled substance in schedule I or II or a narcotic drug in schedule III or IV on board a vessel of the United States or vessels within custom waters of the United States, or by any citizen of the United States on board a vessel. Possessing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container is an offense under this category. Distributing a small amount of marijuana for no remuneration is treated as simple possession and, therefore, is included in this offense category.

Pretrial release--the release of a defendant from custody, for all or part of the

time before or during prosecution. The defendant may be released either on personal recognizance, unsecured bond, or on financial conditions. The category includes defendants released within 2 days after arrest and defendants who were initially detained but subsequently released after raising bail or having release conditions changed at a subsequent hearing.

Property offenses, fraudulent-- property offenses involving the elements of deceit or intentional misrepresentation. Specifically includes embezzlement, fraud (excluding tax fraud), forgery, and counterfeiting.

Property offenses, non-fraudulent-- offenses against property: burglary, larceny, motor vehicle theft, arson, transportation of stolen property, and other property offenses (destruction of property and trespassing). These offenses are termed "non-fraudulent" only for the purpose of distinguishing them from the category "property offenses, fraudulent," above.

Public-order, non-regulatory offenses-- offenses concerning weapons; immigration; tax law violations (tax fraud); bribery; perjury; national defense; escape; racketeering and extortion; gambling; liquor; mailing or transporting of obscene materials; traffic; migratory birds; conspiracy, aiding and abetting, and jurisdictional offenses; and "other public-order offenses." These offenses are termed "non-regulatory" only for the purpose of distinguishing them from the category "public-order, regulatory offenses," below.

Public-order, regulatory offenses-- violations of regulatory laws and regulations in agriculture, antitrust, labor law, food and drug, motor carrier, and other regulatory offenses that are not specifically listed in the category "public-order, non-regulatory offenses" above.

Racketeering and extortion-- racketeering is demanding, soliciting, or receiving anything of value from the owner, proprietor or other person having a financial interest in a business, by means of a threat or promise, either expressed or implied. Extortion is the obtaining of money or property from another, without his consent, induced by the wrongful use of force or fear. Includes using interstate or foreign commerce or any facility in interstate or foreign commerce to aid racketeering enterprises such as arson, bribery, gambling, liquor, narcotics, prostitution, and extortionate credit transactions; obtaining property or money from another, with his or her consent induced by actual or threatened force; violence, blackmail, or committing unlawful interference with employment or business; transmitting by interstate commerce or through the mail any threat to injure the property, the person, or the reputation of the

addressee or of another; or kidnaping any person with intent to extort.

Rape--rape, assault with intent to commit rape, and carnal knowledge of a female under 16 who is not one's wife, within the territorial and special maritime jurisdictions of the United States. Also includes cases of sexual abuse, including abuse of a minor and in Federal prisons.

Robbery--taking anything of value from the person or presence of another by force or by intimidation, within the special maritime and territorial jurisdiction of the United States. Includes robbery of bank property, U.S. postal property, or personal property of the United States. Also assaulting or putting the life of any person in jeopardy by the use of a dangerous weapon while committing or attempting to commit such robbery.

Sentence--sanction imposed on a convicted offender. For sentences to incarceration, the maximum time the offender may be held in custody is reported.

Supervised release--under the Sentencing Reform Act of 1984, a form of post-imprisonment supervision to be imposed by the court as a part of the sentence of imprisonment at the time of initial sentencing. Unlike parole, a term of supervised release does not replace a portion of the sentence of imprisonment, but rather is an order of supervision in addition to any term of imprisonment imposed by the court.

Surety bond--an agreement by the defendant as a condition of release that requires a third party (usually a bail bondsman) to promise to pay the full bail amount in the event that the defendant fails to appear.

Suspect--a person who is under investigation or interrogation as a likely perpetrator of a specific criminal offense.

Tax law violations--tax fraud offenses such as income tax evasion and fraud; counterfeiting any stamps with intent to defraud the collection or payment of tax; willfully failing to collect or pay tax; failure to obey summons to produce any papers concerning taxes; failing to furnish receipts for employees of tax withheld; failing to furnish information relating to certain trusts, annuity, and bond purchase plans; putting fraudulent or false statements on tax returns; and not obtaining a license for a business that makes a profit from foreign items. Also included are violations of excise and wagering tax laws and other laws from the Internal Revenue Service code.

Technical violation--failure to comply with any of the conditions of pretrial release, probation, or parole, excluding alleged new criminal activity. May result in revocation of release status. Examples of conditions that may be imposed and then violated include remaining within a specified jurisdiction, or

appearing at specified intervals for drug tests.

Threats against the President-- knowingly and willfully depositing in the mail, at any post office, or by any letter carrier a letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President, Vice President, or any other officer in order of succession to the Presidency. Knowingly and willfully making such threats in any way to the above-named people.

Traffic offenses--driving while intoxicated or any moving or parking violations on Federal lands.

Trafficking--knowingly and intentionally importing or exporting any controlled substance in schedule I-V (as defined by 21 U.S.C. 812). Manufacturing, distributing, dispensing, selling, or possessing with intent to manufacture, distribute, or sell a controlled substance or a counterfeit substance. Exporting any controlled substance in schedules I-V. Manufacturing or distributing a controlled substance in schedule I or II for purposes of unlawful importation. Making or distributing any punch, die, plate, stone, or any other thing designed to reproduce the label upon any drug or container or removing or obliterating the label or symbol of any drug or container. Knowingly opening, maintaining, or managing any place for the purpose of manufacturing, distributing, or using any controlled substance.

Transportation of stolen property-- transporting, selling, or receiving stolen goods, stolen securities, stolen moneys, stolen cattle, fraudulent State tax stamps, or articles used in counterfeiting if the above articles or goods involve or constitute interstate or foreign commerce.

U.S. attorneys--all United States attorneys. Prosecutorial data come from the Central system and Central Charge Files of the Executive Office for U.S. Attorneys.

Unsecured bond--an agreement by the defendant as a condition of release in which the defendant agrees to pay full bond amount in the event of nonappearance at trial, but is not required to post security as a condition to release.

Violation (of pretrial release, probation, or parole)--allegation of either a new crime or a technical violation while on pretrial release, probation, or parole.

Violent offenses--threatening, attempting, or actually using physical force against a person. Includes murder and nonnegligent manslaughter, negligent manslaughter, assault, robbery, rape, other sex offenses (some of which may be nonviolent), kidnaping, and threats against the President. (See specific offenses.)

Weapons--violations of any of the provisions of sections 922 and 923 of title 18 concerning the manufacturing, importing, possessing, receiving, and licensing of

firearms and ammunition. Manufacturing, selling, possessing, or transporting (within any territory or possession of the United States, within Indian country, or within the special maritime and territorial jurisdiction of the United States) any switchblade knife; or making, receiving, possessing, or transporting a firearm not registered in the National Firearms Registration Transfer Record.

Engaging in importing, manufacturing, or dealing in firearms if not registered with the secretary in the Internal Revenue Service District in which the business is conducted or not having paid a special occupational tax. This code covers cases where in a crime-of-violence- or drug-trafficking-enhanced punishment is handed down when committed with a deadly weapon.

Appendix 12

National Judicial Reporting Program

Survey sampling procedures and definitions of terms

Note: The following information has been excerpted from the U.S. Department of Justice, Bureau of Justice Statistics, ***Felony Sentences in State Courts, 1996***, Bulletin NCJ-173939 (Washington, DC: U.S. Department of Justice, May 1999), pp. 11-17. Non-substantive editorial adaptations have been made.

Survey sampling procedures

In 1988 a sample of 300 counties was drawn for the 1988 National Judicial Reporting Program (NJRP) survey. With little exception, these same 300 counties were the source of NJRP data for 3 subsequent NJRP surveys (1990, 1992, 1994). For the 1996 NJRP survey a new sample was drawn, consisting of 344 counties. The 344 counties included 98 that had been in the NJRP sample in the 4 previous surveys (1988, 1990, 1992, 1994) and 246 that had never been part of an NJRP sample. The 98 consisted of 80 counties selected by chance alone; plus 18 of the Nation's largest counties selected not by chance but (given their large 1995 population size) with certainty.

The 1996 survey used a two-stage, stratified cluster sampling design. In the first stage the Nation's 3,195 counties or county equivalents were divided into 14 strata. Each county was assigned to one stratum by meeting the conditions for that stratum.

The stratum that a county was assigned depended on three criteria:

1. Whether the county was among the Nation's 75 largest according to 1995 resident population,
2. Ease of data collection (a State where data collection is generally not costly; one where data collection is generally moderately costly; one where data collection is generally very costly),
3. The size of the county's 1995 resident population.

The largest 75 counties in the United States (as defined by 1995 resident population) were separated from the Nation's 3,195 counties or county equivalents. Each State was then assigned a "cost-factor" (1, 3, or 5) that reflected the overall ease or method of collecting their 1994 NJRP data. Counties in States that generally submitted 1994 NJRP

data electronically or through a central reporter were assigned a "1." Counties in States that generally submitted 1994 NJRP data electronically but required manual processing time were assigned a "3." Counties in States that generally submitted 1994 NJRP data without a central reporter or through manual collections or that required site visits were assigned a "5."

Next, counties in each "cost-factor" group were separated into categories based on the size of their 1995 population. This resulted in 13 strata from which a sample of 325 counties was drawn. The 14th stratum consisted of the 19 counties with the largest population in 1995; every county in this stratum was selected.

The final sample included 344 counties: 45 out of the 75 largest counties and 299 out of the remaining 3,120 counties. Because the 75 largest counties account for a disproportionately large amount of serious crime in the Nation, they were given a greater chance of being selected than the remaining counties. None of the counties refused to participate. Case-level data were successfully obtained on convicted felons sentenced in 1996 from these 344 counties. Three of the 344 had no felony convictions during the survey period.

At the second stage of sampling, a systematic sample of felons sentenced for murder/nonnegligent manslaughter, sexual assaults (including rape), robbery, aggravated assault, burglary, felony larceny/motor vehicle theft, fraud/forgery/embezzlement, drug trafficking, drug possession, weapons offenses, and other offenses was selected from each county's official records. The total sample numbered 414,969 cases. Of these, 270,104 cases were in the 75 largest counties.

Rates at which cases were sampled varied by how the data were submitted, by stratum, and by crime type. Among counties in States that submitted electronic data, all cases were typically included regardless of the offense type. Among counties in States that either submitted electronic data that required manual processing time or had data from jurisdictions that were collected manually (on-site), a sample of the cases was taken. In smaller counties every felony case was taken. In larger counties all murder cases and rape cases were typically included, but other offense categories were sampled.

The survey targeted and recorded initial sentences imposed in 1996. If a sentence was imposed on one date and then modified at a later date, the revision was ignored. The survey recorded sentences that were actually executed and excluded suspended sentences.

Because the year of conviction was not a defining characteristic, some cases in the sample were of persons convicted before 1996, but not sentenced until 1996.

In a few counties, where it was impractical to target sentences imposed in 1996, the target was felons convicted in 1996. Therefore, in some of the cases the data relate to sentences imposed after 1996.

Sources of data

For 73% of the 344 counties sampled for the 1996 survey, NJRP data were obtained directly from the State courts. Other sources included sentencing commissions, statistical agencies, departments of public safety, probation departments, State police departments, and departments of corrections. Individual-level NJRP records were obtained through a variety of collection methods, including electronically (86% of the counties) and manually (14% of the counties). Electronic methods of data submission included: diskette, magnetic tape, and transmission over the Internet. Manual methods included photocopies of official documents, survey questionnaires completed by court officials, and on-site collections. All data were collected by the U.S. Bureau of the Census.

Sampling error

NJRP data were obtained from a sample and not from a complete enumeration. Consequently, they are subject to sampling error. A standard error, which is a measure of sampling error, is associated with each number reported. In general, if the difference between two numbers is at least twice the standard error of that difference, there is at least 95% confidence that the two numbers do in fact differ; that is, the apparent difference is not simply the result of surveying a sample rather than the entire population.

National estimates of the number of convictions for individual crime categories and for the aggregate total had a coefficient of variation of 3.7%.

Crime definitions

Before the sample was drawn, each felon sentenced in the sampled counties in 1996 was placed into 1 of the 11 offense categories identified above. If the felon was convicted of more than one felony offense, the offense category was the most serious offense. The hierarchy from most to least serious offense was murder, sexual assault, robbery, aggravated assault, burglary, drug trafficking, weapons, forgery/fraud/embezzlement, larceny/motor vehicle theft, drug possession, and all other felonies. The

hierarchy was determined from an analysis of two factors that reflect how seriously the justice system treats different offenses: the sentence length imposed and the time actually served in prison before release. In general, the higher the offense is in the hierarchy, the more serious it is in terms of the two factors.

Sample selection procedures gave each sentenced felon a single chance to be in the sample. However, felons who appeared in court on more than 1 day for different offenses and received a sentence at each reappearance had more than a single chance.

At the data analysis stage, cases were aggregated according to their offense designation at time of sampling, with the single exception of "other violent." "Other violent" is a category shown in the tables, but it was not a category at sampling. The "other violent" category was formed from the sampling category "other felonies." That is, after sampling, sampled cases designated "other felonies" were coded either "violent," "nonviolent," or "not ascertained," based on data available. Cases coded "not ascertained" were rare. For data analysis purposes, cases coded "other violent" were removed from the "other felonies" category and shown separately in the tables. The 12 offense categories shown in the tables are defined as follows:

Murder and nonnegligent manslaughter--Murder is (1) intentionally causing the death of another person without extreme provocation or legal justification or (2) causing the death of another while committing or attempting to commit another crime. Nonnegligent (or voluntary) manslaughter is intentionally and without legal justification causing the death of another when acting under extreme provocation. The combined category of murder and nonnegligent manslaughter excludes involuntary or negligent manslaughter, conspiracies to commit murder, solicitation of murder, and attempted murder.

Rape and sexual assault--Rape includes forcible intercourse (vaginal, anal, or oral) with a female or male. Includes forcible sodomy or penetration with a foreign object (sometimes called "deviate sexual assault"); excludes statutory rape or any other nonforcible sexual acts with a minor or with someone unable to give legal or factual consent. Includes attempts. Other sexual assault includes (1) forcible or violent sexual acts not involving intercourse with an adult or minor, (2) nonforcible sexual acts with a minor (such as statutory rape or incest with a minor), and (3) nonforcible sexual acts with someone unable to give legal or factual consent because of mental or physical defect or intoxication. Includes attempts.

Robbery--The unlawful taking of property that is in the immediate possession of another, by force or the threat of force. Includes forcible purse snatching but excludes nonforcible purse snatching, which is classified as larceny/theft. Includes attempts.

Aggravated assault--(1) Intentionally and without legal justification causing serious bodily injury, with or without a deadly weapon or (2) using a deadly or dangerous weapon to threaten, attempt, or cause bodily injury, regardless of the degree of injury, if any. Includes attempted murder, aggravated battery, felonious assault, and assault with a deadly weapon.

Other violent--Violent offenses excluding murder and nonnegligent manslaughter, rape and sexual assault, robbery, and aggravated assault. Includes offenses such as kidnaping, extortion, and negligent manslaughter. Includes attempts.

Burglary--The unlawful entry of a fixed structure used for regular residence, industry, or business, with or without the use of force, to commit a felony or theft. Includes attempts.

Larceny and motor vehicle theft--Larceny is the unlawful taking of property other than a motor vehicle from the possession of another, by stealth, without force or deceit. Includes pocket picking, nonforcible purse snatching, shoplifting, and thefts from motor vehicles. Excludes receiving and/or reselling stolen property (fencing) and thefts through fraud or deceit. Includes attempts. Motor vehicle theft is the unlawful taking of a self-propelled road vehicle owned by another. Includes the theft of automobiles, trucks, and motorcycles but excludes the theft of boats, aircraft, or farm equipment (which is classified as larceny/theft). Also includes receiving, possessing, stripping, transporting, and reselling stolen vehicles and unauthorized use of a vehicle (joyriding). Includes attempts.

Fraud, forgery, and embezzlement--Using deceit or intentional misrepresentation to unlawfully deprive a person of his or her property or legal rights. Includes offenses such as check fraud, confidence games, counterfeiting, and credit card fraud. Includes attempts.

Drug possession--Includes possession of an illegal drug, but excludes possession with intent to sell. Includes attempts.

Drug trafficking--Includes manufacturing, distributing, selling, smuggling, and possession with intent to sell. Includes attempts.

Weapons offenses--The unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory.

Other offenses--All felony offenses not listed above. Includes receiving stolen property, driving while intoxicated or other traffic offenses, bribery, obstructing justice,

escaping from custody, family offenses (such as child neglect, contributing to the delinquency of a minor, nonpayment of child support), and nonviolent sexual offenses (such as pornography offenses, pimping, prostitution). Includes attempts.

Appendix 13

State Court Processing Statistics

Survey methodology, definitions of terms, and crimes within offense categories

Note: The following information has been excerpted from U.S. Department of Justice, Bureau of Justice Statistics, *Felony Defendants in Large Urban Counties, 1994*, NCJ-164616 (Washington, DC: U.S. Department of Justice, 1998), pp. 1, 37-39. Non-substantive editorial adaptations have been made.

Methodology

The third survey of the State Court Processing Statistics (SCPS) program, formerly the National Pretrial Reporting Program, was conducted during May 1994. These data describe the criminal justice process from arrest to case disposition. SCPS tracked a sample of cases designed to represent the Nation's 75 most populous counties (by 1990 estimates). In 1994, the 75 largest counties accounted for about 36% of the Nation's population, 52% of all reported serious violent crimes, and 43% of all reported serious property crimes. Cases were tracked for up to 1 year.

The sample was designed and selected by the U.S. Bureau of the Census under Bureau of Justice Statistics supervision. It is a two-stage stratified sample with 39 of the 75 most populous counties selected at the first stage, and a systematic sample of State court felony filings (defendants) within each county selected at the second stage.

The 39 counties were divided into 4 first-stage strata, based on court filing information obtained through a telephone survey. Twelve counties were included in the sample with certainty because of their large number of court filings. The remaining 27 counties were allocated to the 3 non-certainty strata based on the variance of felony court dispositions.

The second-stage sampling was designed to represent all defendants who had felony cases filed with the court during the month of May 1994. The participating jurisdictions provided data for every defendant who had a felony case filed on selected days during that month. The number of days selected depended on the stage-one stratum in which the county had been placed. Each jurisdiction provided 1, 2, or 4 weeks of filings for May 1994. Data from jurisdictions that were not required to provide a full

month of filings were weighted to represent the full month.

Data on 14,691 sample felony cases were collected from the 39 sampled jurisdictions. This sample represented 53,099 weighted cases filed during the month of May 1994 in the 75 most populous counties. About 500 weighted cases that, because of incomplete information, could not be classified into one of the four major crime categories (violent, property, drug, public-order) were omitted from the analysis. Cases that were disposed of too quickly to allow time for a pretrial release decision also were excluded. The data collection was conducted by the Pretrial Services Resource Center in Washington, D.C.

Data were collected from the following counties and independent cities: Alabama (Jefferson); Arizona (Maricopa, Pima); California (Alameda, Los Angeles, Sacramento, San Bernardino, San Francisco, Santa Clara, Ventura); Florida (Broward, Dade, Hillsborough, Orange); Hawaii (Honolulu); Illinois (Cook, DuPage); Kentucky (Jefferson); Maryland (Baltimore city); Massachusetts (Middlesex); Michigan (Wayne); Missouri (Jackson, St. Louis); New Jersey (Essex); New York (Bronx, Erie, Kings, Monroe, New York, Queens, Suffolk); Ohio (Hamilton); Pennsylvania (Allegheny, Philadelphia); Tennessee (Shelby); Texas (Dallas, Harris); Washington (King); and Wisconsin (Milwaukee).

Several jurisdictions did not provide complete reporting for defendants' Hispanic origin. As a result, the overall reporting level for race combined with Hispanic origin was 75% compared to 85% for race alone. Because of this underreporting, the categories of race alone account for more defendants than the categories that include both race and Hispanic origin. A large preponderance of the persons with a Hispanic origin were white, although the category includes all races.

Definitions of terms

Terms relating to pretrial release

Released defendant--Any defendant who was released from custody prior to the disposition of his or her case by the court. Includes defendants who were detained for some period of time before being released and defendants who were returned to custody after being released because of a violation of the conditions of pretrial release.

Detained defendant--Any defendant who remained in custody from the time of arrest until the disposition of his or her case by the court. Detained defendants are also referred to as "not released."

Failure to appear--When a court issues a bench warrant for a defendant's arrest because he or she has missed a scheduled court appearance.

Types of financial release

Full cash bond--The defendant posts the full bail amount in cash with the court. If the defendant makes all court appearances, the cash is returned. If the defendant fails to appear in court, the bond is forfeited.

Deposit bond--The defendant deposits a percentage (usually 10%) of the full bail amount with the court. The full amount of the bail is required if the defendant fails to appear in court. The percentage bail is returned after the disposition of the case, but the court often retains a small portion for administrative costs.

Surety bond--A third party, usually a bail bond company, signs a promissory note to the court for the full bail amount and charges the defendant a fee for the service (usually 10% of the full bail amount). If the defendant fails to appear, the bond company must pay the court the full bail amount. Frequently the bond company requires the defendant to post collateral in addition to the fee.

Property bond--Also known as collateral bond, involves an agreement made by a defendant as a condition of pretrial release requiring that property valued at the full bail amount be posted as an assurance of his or her appearance in court. If the defendant fails to appear in court, the property is forfeited.

Types of nonfinancial release

Unsecured bond--The defendant pays no money to the court but is liable for the full amount of bail should he or she fail to appear in court.

Release on recognizance--The court releases the defendant on a signed agreement that he or she will appear in court as required. This category also includes citation releases in which arrestees are released pending their first court appearance on a written order issued by law enforcement or jail personnel.

Conditional release--Defendants are released under conditions and are usually supervised by a pretrial services agency. In some cases, such as those involving a third-party custodian or drug monitoring and treatment, another agency may be involved in the supervision of the defendant. Conditional release sometimes includes an unsecured bond.

Other type of release

Emergency release--Defendants are released solely in response to a court order placing limits on a jail's population.

Offense categories

Felony offenses were classified into 13 categories. These categories were further divided into the four major crime categories of violent, property, drug, and public-order offenses. The following listings contain a representative summary of most of the crimes contained in each category; however, these lists are not meant to be exhaustive. All offenses, except murder, include attempts and conspiracies to commit.

Violent offenses

Murder--Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (which is classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter (which are classified as "other violent crime").

Rape--Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

Robbery--Includes the unlawful taking of anything of value by force or threat of force.

Assault--Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

Other violent offenses--Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or nonforcible sexual assault, kidnapping, unlawful imprisonment, child or spouse abuse, cruelty to child, reckless endangerment, hit and run with bodily injury, intimidation, and extortion.

Property offenses

Burglary--Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry where the intent is not known.

Theft--Includes grand theft, grand larceny, motor vehicle theft, or any other felony theft. Does not include receiving or buying stolen property, fraud, forgery, or deceit.

Other property offenses--Includes receiving or buying stolen property, forgery, fraud, embezzlement, arson, reckless burning, damage to property, criminal mischief, vandalism, bad checks, counterfeiting, criminal trespassing,

possession of burglary tools, and unlawful entry.

Drug offenses

Drug sale/trafficking--Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

Other drug offenses--Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

Public-order offenses

Weapons--Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

Driving-related--Includes driving under the influence of drugs or alcohol, driving with a suspended or revoked license, or any other felony in the motor vehicle code.

Other public-order offenses--Includes flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.

Appendix 14

Juvenile Court Statistics Methodology, definitions of terms, and offenses within categories

This information was excerpted from Howard Snyder et al., "Easy Access to Juvenile Court Statistics: 1987-1996" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998. Available: <http://ojjdp.ncjrs.org/facts/ezaccess.html> [June 28, 1999]; and U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, **Offenders in Juvenile Court, 1996**, NCJ-175719 (Washington, DC: U.S. Department of Justice, July 1999), p. 12. Non-substantive editorial adaptations have been made.

Methodology

These data are national estimates of juvenile delinquency cases handled in 1996 by U.S. courts with juvenile jurisdiction. The estimates are derived from data provided to the National Center for Juvenile Justice' National Juvenile Court Data Archive, by State and county agencies responsible for collecting and/or disseminating information on the processing of youth in juvenile courts.

Courts with juvenile jurisdiction may also handle other matters, including status offenses, i.e., behaviors that are considered an offense only when committed by a juvenile (e.g., running away from home), traffic violations, child support, adoption, and child abuse and neglect. However, the data presented in this edition of SOURCEBOOK focus on the courts' handling of juveniles charged with criminal law violations. These data are not the result of a uniform data collection effort. They are not derived from a complete census of juvenile courts or obtained from a probability sample of courts. These national estimates are developed using compatible information from courts that are able to provide data to the Archive.

The Archive collects data in two forms: court-level aggregate statistics and detailed case-level data. Court-level aggregate statistics are either abstracted from the annual reports of State and local courts or are contributed directly to the Archive. These data typically are counts of the delinquency and status offense cases handled by courts in a defined time period (calendar or fiscal year). Case-level data are usually generated by the automated client-tracking systems or

case-reporting systems managed by juvenile courts or other juvenile justice agencies. These systems provide detailed data on the characteristics of each delinquency and status offense case handled by courts.

The structure and content of each data set is examined in order to design an automated restructuring procedure that will transform each jurisdiction's data into a common case-level format. The aggregation of these standardized case-level data files constitutes the national case-level database. The compiled data from jurisdictions that contribute only court-level statistics constitutes the national court-level database. Together, these two multi-jurisdictional databases are used to generate national estimates of delinquency and status offense cases. Although juvenile courts with jurisdiction over more than 95% of the U.S. juvenile population contribute either case-level data or court-level aggregate statistics to the Archive, not all of this information can be used to generate the national estimates. To be used, the data must be in a compatible unit of count (i.e., case disposed), the data source must demonstrate a pattern of consistent reporting over time (at least 2 years), and the data file contributed must represent a complete count of cases disposed in a jurisdiction during a given year.

The national estimate of 1,757,600 total delinquency cases processed in 1996 was generated by data received from the following two types of sources:

- (1) Case-level data describing 894,571 delinquency cases handled by 1,317 jurisdictions in 26 States met the criteria for inclusion in the development of national estimates. Compatible data were available from Alabama, Arizona, Arkansas, California, Connecticut, Florida, Illinois, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, and West Virginia. These courts had jurisdiction over 52% of the Nation's juvenile population in 1996.
- (2) Compatible court-level aggregate statistics on an additional 191,495 delinquency cases from 516 jurisdictions were reported from the District of Columbia, California, Hawaii, Idaho, Illinois, Indiana, New York, Texas, and Vermont.

In all, compatible case-level data and court-level statistics on delinquency cases were received from 1,775 jurisdictions containing 67% of the Nation's youth population at risk in 1996.

A multivariate weighting procedure is employed that adjusts for a number of

factors related to juvenile court caseloads--i.e., the court's jurisdictional responsibilities (upper age); the size and demographic composition of the community; the age, sex, and race profile of the youth involved in juvenile court cases; and the offenses charged against the youth. The basic assumption underlying the estimation procedure is that similar legal and demographic factors shape the volume and characteristics of cases in reporting and nonreporting counties of comparable size and features.

The unit of count is a case disposed by a court with juvenile jurisdiction. A case represents a youth processed by a juvenile court on a new referral regardless of the number of charges contained in that referral. A youth charged with four burglaries in a single referral represents a single case, whereas a youth referred to court intake for three burglaries and referred again the following week on another burglary charge represents two cases, even if the court eventually merges the two referrals for efficient processing.

The offense coded was the most serious offense for which the youth was referred to court. Attempts to commit an offense were included under that offense category except attempted murder, which was included in the aggravated assault category.

The term disposed means that a definite action has been taken or that a plan of treatment has been selected or initiated. It does not necessarily mean that the case is closed or terminated in the sense that all contact with the youth has ceased.

Definitions of terms

Adjudicated--Judicially determined (judged) to be a delinquent.

Delinquent act/offense--An act committed by a juvenile for which an adult could be prosecuted in a criminal court, but when committed by a juvenile is within the jurisdiction of the juvenile court.

Detention--The placement of a youth in a restrictive facility between referral to court intake and case disposition.

Dismissed--Cases dismissed (including those warned, counseled, and released) with no further action anticipated.

Juvenile--Youth at or below the upper age of juvenile court jurisdiction. See Upper age of jurisdiction and Youth population at risk.

Nonpetitioned cases--Informally handled cases that duly authorized court personnel screen for adjustment without the filing of a formal petition. Such personnel include judges, referees, probation officers, other officers of the court, and/or an agency

statutorily designated to conduct petition screening for the juvenile court.

Petitioned cases--Formally handled cases that appear on the official court calendar in response to the filing of a petition or other legal instrument requesting the court to adjudicate the youth delinquent or to waive (transfer) the youth to criminal court for processing as an adult.

Placement out-of-home--Cases in which youth were placed in a residential facility for delinquents, or were otherwise removed from their homes and placed elsewhere.

Probation--Cases in which youth were placed on informal/voluntary or formal/court-ordered probation or supervision.

Race--The race of the youth referred as determined by the youth or by court personnel.

White--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. (Nearly all Hispanics were included in the white racial category.)

Black--A person having origins in any of the black racial groups of Africa.

Other--A person having origins in any of the original peoples of North America, the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.

Transfer/waiver--Cases that were waived or transferred to criminal court as the result of a waiver or transfer hearing in juvenile court. Cases are included in this category only if the transfer resulted from judicial actions alone. Some cases can be transferred to criminal court through the actions of prosecutors. However, these data report judicial waivers only. Excluded are cases that were transferred to criminal court under concurrent jurisdiction provisions.

Upper age of jurisdiction--The oldest age at which a juvenile court has original jurisdiction over an individual for law-violating behavior. For the time period covered by these data in 3 States (Connecticut, New York, and North Carolina) the upper age of jurisdiction was 15, in 10 States (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, and Wisconsin) the upper age of jurisdiction was 16, and in the remaining 37 States and the District of Columbia the upper age of jurisdiction was 17. It must be noted that within most States there are exceptions to the age criteria that place or permit youth at or below the State's upper age of jurisdiction to be under the original jurisdiction of the adult criminal court. For example, in most States if a youth of a certain age is charged with one of a defined list of what are commonly labeled "excluded offenses," the case must originate in the adult criminal court. In addition, in a number of States, the district attorney is given the discretion of filing certain cases either in the juvenile or in the

criminal court. Therefore, while the upper age of jurisdiction is commonly recognized in all States, there are numerous exceptions to this age criterion.

Youth population at risk--For delinquency and status offense matters this is the number of children from age 10 through the upper age of jurisdiction. In all States the upper age of jurisdiction is defined by statute. In most States individuals are considered adults when they reach their 18th birthday. Therefore, for these States, the delinquency and status offense youth population at risk would equal the number of children who are 10 through 17 years of age living within the geographical area serviced by the court.

Offenses within categories

Crimes against persons--This category includes criminal homicide, forcible rape, robbery, aggravated assault, simple assault, and other person offenses as defined below.

Criminal homicide--Causing the death of another person without legal justification or excuse. Criminal homicide is a summary category, not a single codified offense. The term, in law, embraces all homicides where the perpetrator intentionally killed someone without legal justification, or accidentally killed someone as a consequence of reckless or grossly negligent conduct. It includes all conduct encompassed by the terms murder, nonnegligent (voluntary) manslaughter, negligent (involuntary) manslaughter, and vehicular manslaughter. The term is broader than the Crime Index category used in the Federal Bureau of Investigation's Uniform Crime Reports (UCR) in which murder and nonnegligent manslaughter does not include negligent manslaughter or vehicular manslaughter.

Forcible rape--Sexual intercourse or attempted sexual intercourse with a female against her will by force or threat of force. The term is used in the same sense as in the UCR Crime Index. (Some States have enacted gender-neutral rape or sexual assault statutes that prohibit forced sexual penetration of either sex. Data reported by such States do not distinguish between forcible rape of females as defined above and other sexual assaults.)

Robbery--Unlawful taking or attempted taking of property that is in the immediate possession of another by force or the threat of force. The term is used in the same sense as in the UCR Crime Index and includes forcible purse snatching.

Assault--Unlawful intentional inflicting, or attempted or threatened inflicting, of injury upon the person of another.

Aggravated assault--Unlawful intentional inflicting of serious bodily injury, or unlawful threat or attempt to

inflict bodily injury or death, by means of a deadly or dangerous weapon with or without actual infliction of any injury. The term is used in the same sense as in the UCR Crime Index. It includes conduct included under the statutory names aggravated assault and battery, aggravated battery, assault with intent to kill, assault with intent to commit murder or manslaughter, atrocious assault, attempted murder, felonious assault, and assault with a deadly weapon.

Simple assault--Unlawful intentional inflicting, or attempted or threatened inflicting, of less than serious bodily injury without a deadly or dangerous weapon. The term is used in the same sense as in UCR reporting. Simple assault is often not distinctly named in statutes since it consists of all assaults not explicitly named and defined as serious. Unspecified assaults are contained in the other offenses against persons category.

Other offenses against persons--This category includes kidnapping, violent sex acts other than forcible rape (e.g., incest, sodomy), custody interference, unlawful restraint, false imprisonment, reckless endangerment, harassment, and attempts to commit any such acts.

Crimes against property--This category includes burglary, larceny, motor vehicle theft, arson, vandalism, stolen property offenses, trespassing, and other property offenses as defined below.

Burglary--Unlawful entry or attempted entry of any fixed structure, vehicle, or vessel used for regular residence, industry, or business, with or without force, with intent to commit a felony or larceny. The term is used in the same sense as in the UCR Crime Index.

Larceny--Unlawful taking or attempted taking of property (other than a motor vehicle) from the possession of another, by stealth, without force and without deceit, with intent to permanently deprive the owner of the property. This term is used in the same sense as in the UCR Crime Index. It includes shoplifting and purse snatching without force.

Motor vehicle theft--Unlawful taking, or attempted taking, of a self-propelled road vehicle owned by another, with the intent to deprive the owner of it permanently or temporarily. The term is used in the same sense as in the UCR Crime Index. It includes joyriding or unauthorized use of a motor vehicle as well as grand theft auto.

Arson--Intentional damaging or destruction by means of fire or explosion of the property of another without the owner's consent, or of any property with intent to defraud, or attempting the above acts. This term is used in the same sense as in the UCR Crime Index.

Vandalism--Destroying or damaging, or attempting to destroy or damage, the property of another without the owner's consent, or public property, except by burning.

Stolen property offenses--Unlawful and knowing receipt, purchase, or possession of stolen property, or attempting any of the above. The term is used in the same sense as the UCR category stolen property; buying, receiving, possessing.

Trespassing--Unlawful entry or attempted entry of the property of another with the intent to commit a misdemeanor, other than larceny, or without intent to commit a crime.

Other property offenses--This category includes extortion and all fraud offenses, such as forgery, counterfeiting, embezzlement, check or credit card fraud, and attempts to commit any such offenses.

Drug law violations--Unlawful sale, purchase, distribution, manufacture, cultivation, transport, possession, or use of a controlled or prohibited substance or drug, or drug paraphernalia, or attempts to commit these acts. Sniffing of glue, paint, gasoline, and other inhalants also are included; therefore, the term is broader than the UCR category drug abuse violations.

Offenses against public order--This category includes weapons offenses, non-violent sex offenses, non-status liquor law violations, disorderly conduct, obstruction of justice, and other offenses against public order as defined below.

Weapons offenses--Unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon, or accessory, or attempt to commit any of these acts. The term is used in the same sense as the UCR category weapons; carrying, possessing, etc.

Sex offenses--All offenses having a sexual element, not involving violence. The term combines the meaning of the UCR categories prostitution and commercialized vice and sex offenses. It includes offenses such as statutory rape, indecent exposure, prostitution, solicitation, pimping, lewdness, fornication, and adultery.

Liquor law violations, not status--Being in a public place while intoxicated through consumption of alcohol, or intake of a controlled substance or drug. It includes public intoxication, drunkenness, and other liquor law violations. It does not include driving under the influence. The term is used in the same sense as the UCR category of the same name. (Some States treat public drunkenness of juveniles as a status offense, rather than delinquency; therefore, some of these offenses may appear under the status offense code status liquor law violations. Where a person who is publicly intoxicated performs acts that cause a

disturbance, he or she may be charged with disorderly conduct.)

Disorderly conduct--Unlawful interruption of the peace, quiet, or order of a community, including offenses such as disturbing the peace, vagrancy, loitering, unlawful assembly, and riot.

Obstruction of justice--This category includes intentionally obstructing court or law enforcement efforts in the administration of justice, acting in a way calculated to lessen the authority or dignity of the court, failing to obey the lawful order of a court, and violations of probation or parole other than technical violations, which do not consist of the commission of a crime or are not prosecuted as such. It includes contempt, perjury, obstructing justice, bribing witnesses, failure to report a crime, and nonviolent resisting arrest.

Other offenses against public order--This category includes other offenses against government administration or regulation, e.g., escape from confinement, bribery, gambling, fish and game violations, hitchhiking, health violations, false fire alarms, and immigration violations.